United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, DECEMBER 16, 2009 No. 191

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. BALDWIN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 16, 2009.

I hereby appoint the Honorable TAMMY BALDWIN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

During this season of holidays and holy days, Lord, we pray for families all across this Nation. The times, economics, and unemployment are causing great stress within some families. Military service, sickness, recent deaths, and alienation bring other families to the point of heartbreak and tears. Yet we believe, Lord, that the family is not only the basic social unit upon which our communities and our Nation are built. Family life is the ''domestic church'' where prayer is practiced and faith is first witnessed.

For You, Lord God, the family itself is a great mystery, our first school of formation, which shapes human values, affirms self-image, and provides a world view. Here one accepts personal independence within a sense of belonging and authority with a sense of humor, bold enough to giggle at life's inconsistencies and laugh at oneself. Daily, children and adults learn self-giving, gratitude, patience, forgiveness, and simple expressions of love and being loved.

Lord, may Congress respect and protect family life in this country. With Your blessing, may every family this season nurture the experience of love: conjugal love, paternal and maternal love, fraternal love, and the love of a community of persons and of generations. May they acknowledge Your Presence in everyone around the table, both now and forever. Amen.

NOTICE

If the 111th Congress, 1st Session, adjourns sine die on or before December 23, 2009, a final issue of the *Congressional Record* for the 111th Congress, 1st Session, will be published on Thursday, December 31, 2009, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 30. The final issue will be dated Thursday, December 31, 2009, and will be delivered on Monday, January 4, 2010.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Kentucky (Mr. YARMUTH) come forward and lead the House in the Pledge of Allegiance.

Mr. YARMUTH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

SACRIFICING THE FUTURE FOR WAR AND WALL STREET

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. The Greatest Generation sacrificed during their lifetime so future generations could have it better. Here, the ''bailout generation'' demands the future will be sacrificed for the present with unlimited money from Wall Street and war.

While the government expands the debt for Wall Street and war, people are led to believe that we're doing it for jobs on Main Street. Even today as Congress expands the debt limit, CitiGroup will get billions in new tax breaks. Last week, Congress let Wall Street keep their over-the-counter black box derivatives game going, which will leave the taxpayers exposed to huge losses in the future.

Today, Congress will give the Pentagon another $550 billion and the wars in Iraq and Afghanistan another $130 billion, where we expand the national debt, sacrificing the future for the present. In the past 2 years, Congress chose war and Wall Street over jobs and Main Street, expanding the debt, sacrificing the future for the present.

Today's job bill is necessary but will address only a fraction of the unemployed. Rather than prime the pump of the economy and put all of America back to work, we have to sacrifice the future for war and for Wall Street.

OBAMAVILLE IN COLORADO SPRINGS

(Mr. LAMBORN asked and was given permission to address the House for 1 minute.)

Mr. LAMBORN. Madam Speaker, this picture shows what the failed policies of this Congress and administration are doing to America. This sign was put up near a homeless camp in my district. It's next to the highway, down by the river. It says: Welcome to Obamaville—Colorado's fastest growing community.

It's obvious that the liberals' prescription for creating jobs only creates more government by taking hard-earned dollars from families and small businesses for taxes that could have gone into creating real jobs.

When the President said he wanted more jobs through the so-called stimulus, it's mostly meant more bureaucrats, and that's not the jobs Americans want. When Americans lose their jobs in this recession and end up living in a tent, something is wrong.

The policies of this administration and Congress, by raising taxes and putting more regulations in the way of business, will not create the jobs Americans need for the future, but their policies will create tent cities.

HONORING JACKIE HAYS

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, I rise today to pay tribute to Jackie Hays, a broadcasting legend in Louisville, Kentucky, who has served our community for nearly 22 years. Jackie will retire this Friday, and she will be greatly missed.

Over the course of her career at WAVE–TV, Jackie has done it all: flying in Thunderbirds and Blue Angels, covering more than 25 Kentucky Derbies, and joining Louisvillians for our greatest celebrations and darkest tragedies. But most of all, she has endeared herself to Louisvillians because we always knew how much she cared about us. That's why she was selected 16 times as Louisville's favorite female anchor. She proved her love for our community not just by her on-air professionalism, but also by her enthusiastic involvement in civic and charitable activities.

Jackie once said: God isn't going to ask me one day how many newscasts I did or how many stories I broke, but what kind of person I was.

As Jackie's WAVE–3 career comes to an end, I can say without reservation that she is a person that anyone would hold up as a role model, and we are grateful she has called Louisville home so long. I join everyone in Louisville in wishing her a long and fulfilling retirement.

TIME TO STOP DIGGING THE DEFICIT HOLE

(Mrs. SCHMIDT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHMIDT. A few weeks ago, Moody's Investor Services told us that our country's AAA bond rating will be downgraded if we do not get the budget deficit under control. This is because the President and this Congress ran up a record-breaking deficit last year to the tune of $1.4 trillion, tripling our prior record.

The response from the President and the majority is more spending and absolutely no commitment to do anything to reduce the deficit. In fact, today we're going to be asked to raise our debt ceiling so we can borrow more.

An article in Barron's financial magazine on Monday said this: ''Moody's expressed optimism that the U.S. budget deficit would be reined in, helped by quicker-than-expected repayment of funds under the TARP program. But the ink was hardly dry on its report when President Obama, Tuesday, announced a new 'jobs' program, funded in part by the greater-than-anticipated return of TARP funds.''

Repaid TARP funds are supposed to be used for deficit reduction. Besides this, I thought the trillion dollar stimulus bill was supposed to create jobs.

You know, when you get yourself into a hole, you have to stop digging.

It's time to stop digging.

JOBS, JOBS, AND JOBS

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Madam Speaker, while this House has made great strides to improve our economy, our journey towards economic recovery will not be complete until after a robust jobs package is passed. The nearly half a million unemployed New Jerseyans and over 15 million unemployed Americans simply cannot wait. They need jobs now, and they're relying on us to deliver it.

In order to put Americans back to work and lay the groundwork for future growth, we must build on the investments in job creation we have already made; specifically, investments in infrastructure and clean energy: jobs to repair existing roads and bridges, jobs to improve public transportation and water infrastructure, and jobs in alternative energy initiatives, including solar and wind.

In addition to job creation, we must also ensure that the unemployed can make ends meet while searching for jobs by continuing the extension of unemployment benefits and helping them maintain health care coverage by extending COBRA subsidies that are set to expire.

Madam Speaker, our work is not done. We need to pass a bill that will generate jobs, jobs, and even more jobs—not in a month, not two, but now.

CONSTITUTIONAL BALANCED BUDGET AMENDMENT

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute.)

Mr. BUCHANAN. Madam Speaker, the congressional leaders this week

want to raise the Federal debt ceiling $1.8 trillion. The current debt in the country is over $12 trillion.

When I first came here 3 years ago, I introduced a constitutional balanced budget amendment. I hear up here the last 3 years that the Democrats are the problem, the Republicans are the problem on the spending. They're both the problem. In the last 50 years, they've only balanced the budget five or six times, yet 49 out of 50 Governors have to balance the budget.

Our State of Florida has had a tough cycle in terms of revenues. They've cut expenses. Families are cutting expenses. Small businesses in our communities are cutting 20, 30 percent in expenses, yet we're raising expenses 12 percent.

The time is now. We almost had a constitutional balanced budget amendment in 1994. That's the only thing that's going to solve the problem. We need to act today as Democrats and Republicans and do what's right for America and Americans.

SS ST. LOUIS

(Mr. KLEIN of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN of Florida. Madam Speaker, this week I had the chance to meet with some of the survivors of the SS *St. Louis* in my community of south Florida. This was a memorable and moving experience that provides each of us with a powerful lesson about our past.

As you know, the SS *St. Louis* carried nearly 1,000 Jewish refugees from Nazi Germany in 1939, and, shamefully, the United States turned the ship away. Its passengers were sent back to Europe where hundreds of them perished. We cannot forget this dark moment in our Nation's history, and we must remember the story and share it with our next generation in order to keep our promise of ''never again.''

I'd like to associate myself with Senate Resolution 111 passed by the U.S. Senate, which recognizes the tragedy of the SS *St. Louis* and honors the memory of the passengers who lost their lives. I join my colleagues and continue to pay tribute to those who did not survive, and I express my gratitude for the opportunity to join the survivors in person this week.

□ 0915

AFGHANISTAN-PAKISTAN BORDER AND U.S.-MEXICO BORDER

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, I had the opportunity to be with our resilient troops last week in Afghanistan near the violent southern border with Pakistan. Part of their mission is to secure the border by preventing drugs, arms, money and Taliban criminals from crossing back and forth through the vast border regions. It's in America's interest to have our military in Afghanistan and protect the sovereignty of that country.

It is ironic, however, we see the need to protect the borders of other nations; but because of political reasons, we don't have the moral will to protect our own borders. This is not the first administration that has given a wink and a nod to our porous borders, but it should be the last.

Our southern border region is a haven for organized criminal cartels, gun smugglers, human smugglers and rogue outlaws that cross as freely as they did in the days of the old west. We should be as concerned about protecting our own border as we are about protecting the borders of Third World countries like Afghanistan. We should put our military on the border if necessary.

After all, the first duty of government is protection of our own homeland.

And that's just the way it is.

JOBS

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I rise today for American working men and women who want to work but can't find a job. The Nation's unemployment rate stands at 10 percent, with my home State of California ranking third worst in the country.

While I support a stronger safety net to help families survive, in the end, Americans don't want unemployment checks. They want to work.

That's why I'm proud to support the Jobs for Main Street Act which will put Americans back to work in the most direct way possible: by hiring them. This bill makes overdue investments in America's rails, roads and schools and in well-paying Davis-Bacon-covered jobs for our workers.

The benefits for our economy of encouraging unionized jobs cannot be overstated. As the great Dr. Martin Luther King, Jr., said, ''Everyone knows that the labor movement did not diminish the strength of the Nation, but enlarged it. By raising the living standards of millions, labor miraculously created a market for industry and lifted the whole Nation to undreamed of levels of production.''

May this bill continue in that tradition.

JOBS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, as we approach the Christmastime, too many Americans are asking, Where are the jobs? In January, the unemployment rate was 7.6 percent. Only 10 months later, the national unemployment reached a whopping 10.2 percent, the highest level since April 1983. That means today there are 15.7 million unemployed Americans looking for work.

House Republicans have an economic recovery plan that will help get Americans back to work. Our economic recovery plan will create twice the jobs at half the cost of the Democrats' failed stimulus plan.

How ironic that our colleagues are coming to the floor today to talk about the need for jobs when it is their votes and the policies of this President that have killed so many jobs.

It's time we started working on behalf of the American people and focus on real commonsense solutions that will help put people get back to work and let them celebrate Christmas in a wonderful way.

JOB CREATION PROGRAM

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, I would like to respond to my good friend on the other side of the aisle from the great State of North Carolina who pointed out that there are many jobless Americans. That's true, but let's put this in perspective. The last month that former President Bush was in office, this country lost over 750,000 jobs.

Under President Barack Obama's leadership, we are trending in the right direction. This last month, we lost 11,000 jobs. The last 5 months of the Bush administration, they lost well over 600,000 jobs.

And as Nobel laureate Joseph Stiglitz pointed out at a joint economic hearing last week, that job creation during the Bush administration was fueled by an artificial bubble. Inflated housing prices and a ballooning real estate market spurred consumption and hiring and put us in a very dangerous position where we find ourselves today.

We owe it to the 15 million jobless Americans to invest in aggressive job creation policies which will be on the floor today in the Democratic jobs program.

STOP THE AUTOMATIC PAY RAISE FOR MEMBERS OF CONGRESS IN FISCAL YEAR 2011 ACT

(Mr. MITCHELL asked and was given permission to address the House for 1 minute.)

Mr. MITCHELL. Madam Speaker, my colleague, Dr. RON PAUL, and I have once again introduced legislation to stop Members of Congress from receiving the next scheduled automatic pay raise. Earlier this year, we introduced legislation to block the fiscal year 2010 pay raise, and we were joined by a bipartisan coalition of more than 100 of our colleagues in the process. Thanks to their help, as well as that of our leadership, the fiscal year 2010 pay raise was blocked.

With unemployment so high and so many families struggling to make ends meet, we believe that it would be wrong for Congress to now raise its own pay in fiscal year 2011. Right now, we need our focus to be on getting people back to work, shoring up the economy, and keeping our families and communities safe, not on giving ourselves a pay raise. The American people are not getting a raise. Neither should Congress.

I encourage my colleagues from both sides of the aisle to do the same and join Dr. RON PAUL and me in stopping the next automatic pay raise from taking effect by supporting H.R. 4255, the Stop the Automatic Pay Raise for Members of Congress in Fiscal Year 2011 Act.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3326, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010; FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 64, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2010; FOR CONSIDERATION OF H.R. 4314, PERMITTING CONTINUED FINANCING OF GOVERNMENT OPERATIONS; FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2847, JOBS FOR MAIN STREET ACT, 2010

Ms. PINGREE of Maine, from the Committee on Rules, submitted a privileged report (Rept. No. 111–380) on the resolution (H. Res. 976) providing for consideration of the Senate amendment to the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; for consideration of the joint resolution (H.J. Res. 64) making further continuing appropriations for fiscal year 2010, and for other purposes; for consideration of the bill (H.R. 4314) to permit continued financing of Government operations; for consideration of the Senate amendment to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. PINGREE of Maine. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 973 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 973

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of December 16, 2009.

The SPEAKER pro tempore. The gentlewoman from Maine is recognized for 1 hour.

Ms. PINGREE of Maine. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina, Dr. FOXX. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. PINGREE of Maine. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 973.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maine?

There was no objection.

Ms. PINGREE of Maine. I yield myself such time as I may consume.

Madam Speaker, House Resolution 973 waives clause 6(a) of rule XIII which requires a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee. This waiver applies to any resolutions reported on the legislative day of December 16, 2009. This will allow the House to consider today important legislation, including legislation to ensure the funding of our military in addition to measures to put people back to work.

Madam Speaker, we must act quickly to deliver the bills before us today that will fund our military and get people back to work. Today the House will take up several measures that will fund our military and make critical investments in the Nation's infrastructure in order to put people back to work. We have the opportunity today to take the bailout money that was used as a lifeline to Wall Street and give that money back to the American people and those who have been hit hardest by these tough economic times.

The legislation that we will take up later today will divert the TARP money to programs that will create and save jobs across the country. We do this by investing $75 billion of TARP money into highways, to transit, to school renovation, to hiring teachers, police and firefighters, to supporting small businesses, job training and affordable housing.

For those hit hardest by the recession, this bill also provides emergency relief by extending programs like Unemployment Benefits, COBRA and FMAP, which is health care funding for our States, and the child care tax credit. These are measures that we must pass to build a foundation for long-term economic recovery.

This is not an ordinary day; and given the importance of this legislation, I hope Members on both sides of the aisle will support this rule so that we can move quickly to enact these critically important measures.

I wish, as so many of my colleagues wish, that we weren't faced with such difficult problems. I wish that when the Democrats took over the majority, we weren't saddled with two wars, a recession and a $1.3 trillion deficit. But wishing won't make these problems go away. There is real urgency in the actions before us today, and I truly hope that my colleagues on both sides of the aisle will join me in supporting this rule to allow us to move forward.

Later in the day, we will debate the merits of all of this legislation and the grave implications of not passing these bills. But right now, I urge my colleagues to support this rule and allow us to move forward on the debate to complete the work that we were sent here to do.

I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I appreciate my colleague yielding the time this morning.

I want to say that it seems every time we come here, we have to do a little bit of correcting people's memory and their recollection of history. My colleague just said when they took over the majority, we had a $1.3 trillion deficit. I think if she will check her facts, she will see that the $1.3 trillion deficit came about as a result of the Democrats' taking over the majority. She may not have been here in 2007, but when they took over the majority, I believe that the deficit was $259 billion, and they made it $1.3 trillion this year with their Democratic President.

We are here considering a same-day martial law rule. Now, I understand that there are times when we need to move quickly when we are faced with an immediate crisis. However, I think the word ''crisis'' has been overused particularly this year. We haven't had much by way of crisis this year, and yet they're trying to make it a crisis by bringing in this, again, same-day martial law rule.

The Rules Committee met last night at 8:45. We didn't get the text of the bills that we're going to be debating and the rule that we're going to approve again in a few minutes, or a little while, so we've had very little time to be able to deal with these things. But we've known about this for a long, long time. We've known that the funding for the government would run out Friday night for over a month. So what have we been doing during that period of time when we should have been preparing for this day?

Let me give some ideas on what we've been doing by reading out some of the bills that we've been voting on on the floor: expressing support for designation of November 29, 2009, as ''Drive Safer Sunday,'' surely something that the country could not live without, without our voting on it; expressing support for designation of the week beginning on November 9, 2009, as ''National School Psychology Week,'' another extraordinarily important

issue for us to be dealing with; recognizing the 60th anniversary of the Berlin Airlift's success. Certainly I am extremely proud of the fact that Ronald Reagan helped end the Cold War by opening up Berlin. But I don't think that really needed to be done by a vote on this floor.

□ 0930

And then the one that I really think tops the cake and will get the attention of the American people, honoring the 2,560th anniversary of the birth of Confucius and recognizing his invaluable contributions to philosophy and social and political thought. The fact that 2,560 years have passed since the birth of Confucius and we hadn't acknowledged it, I really think that could have waited a little bit longer in terms of the importance of the work that we are doing.

So, here we are again doing what our colleagues across the aisle have been so good at this session, short-circuiting the legislative process so we can jam through another major spending bill without the benefit of Members or, more importantly, the citizens of this country having the opportunity to read it.

This rule enables us to take up the next rule, and that rule will let the House consider more than $1 trillion in spending, all done almost in the blink of an eye if you put it in the context of the birth of Confucius. But let us not be fooled by this attempt to say that something is a crisis. The reason we are doing this on the spur of the moment is because our Speaker and several Members are going to leave today to go to Copenhagen to talk with people about climate control. And they're going to emit much, much carbon on their way to do that, which really is sort of hypocritical in terms of what the conference is all about. So we have folks talking out of both sides of their mouths here over and over and over again.

Madam Speaker, I reserve the balance of my time.

Ms. PINGREE of Maine. My good friend from North Carolina has suggested that this isn't an emergency. I would say that I hear every day from constituents in my district who feel that we are in a time of emergency. In Maine, we have 20,000 unemployed workers who are facing the end of their unemployment benefits. A very critical thing that we are about to talk about today is the extension of unemployment benefits.

Now, we are anxious for the economy to improve, but the fact is in my State unemployment benefits are the fourth largest payroll. That is a tragedy that we have to deal with. We have to make sure that those people, in the middle of a cold winter, don't go without their vital support and that our State doesn't go without a critical part of our economy.

Many of those people can't even stand a delay because the fact is if they go for even a few days or weeks without their benefits, they've already hit the end of their credit card limits, they've already gone as far as they can possibly go. Many workers have talked to me about the fact that they are using their COBRA subsidy; they were laid off, and the fact is this extended that as well.

As far as I'm concerned, there are many critical things in this bill. This is the time to get it passed. People say to me all the time, When are you going to get something done in Washington? As far as I'm concerned, this is something we have to get done, and we need to get back to work today.

I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I now yield such time as he may consume to the distinguished gentleman from California and ranking member of the Rules Committee, Mr. DREIER.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Madam Speaker, our friend from Maine is absolutely right. This is a very, very challenging time for people who are dealing with the economic downturn through which we have suffered, and it is essential that we do a number of the things that are before us today.

The national security of the United States of America is priority number one. I always argue that the five most important words in the middle of the preamble of the U.S. Constitution are ''provide for the common defense.'' I say that, Madam Speaker, because if you think about the issues with which we regularly contend here, nearly all of them can be done either by an individual, within a family, within a church or community, a city, a county, or a State level of governing, but our national defense can only be handled by the Federal Government. So I will acknowledge it is very, very important for us to ensure that our men and women in uniform have what they need. And I will acknowledge that as we deal with the economic downturn, ensuring that people have job opportunities is a very, very, very important priority for us.

I happen to think that we have gone in the exact opposite direction when it comes to the notion of encouraging long-term private sector job creation and economic growth. I believe that we should deal with that issue in a bipartisan way. And when I say bipartisan, I'm referring to two Presidents in the last half century; one is John F. Kennedy, the other Ronald Reagan. John F. Kennedy, when we were dealing with economic challenges in the early 1960s, decided very clearly that the best way to get the economy back on track, the best way to encourage private sector job creation and economic growth was to do what? Bring about broad, marginal tax rate reduction, reducing the top rate on capital gains and taking the top rate on job creators, men and women who are out there working to create more and more opportunity for their fellow Americans.

Well, Madam Speaker, that kind of plan was put into place in the early 1960s with a Democratic Congress and a Democratic President of the United States. And guess what happened? During the decade of the 1960s, we saw a doubling of the flow of revenues to the Federal Treasury because of the heralded John F. Kennedy tax cuts; again, a Democratic President and a Democratic Congress.

Rush forward from the early 1960s to the early 1980s, two decades. I was privileged to be a Member of the 97th Congress which convened in January of 1981. We were dealing with very, very serious economic problems, some of which were even more challenging than exist today. In the early 1980s, people will recall that interest rates were well into double digits, we had an unemployment rate that dramatically exceeded where we are today, and if you look at the overall challenge, it was similar. How did we deal with that, Madam Speaker? We dealt with it by doing, under Ronald Reagan, exactly what President John Kennedy, a great Democratic President, did. Under Ronald Reagan, we saw broad reductions across the board of marginal tax rates, we saw a reduction in the capital gains rate.

And what happened? As we encouraged those job creators out there in our economy, what happened, Madam Speaker, was we saw, again, a doubling of the flow of revenues to the Federal Treasury and we saw good, long-term private sector jobs created.

Now, the thing that is most troubling about what it is that we are doing is, while we have seen—I am really happy to see this reduction of 10.2 percent to 10 percent, the unemployment rate; it's a positive sign. The problem is that it's not private sector job creation; what we are seeing is public sector job creation.

I will acknowledge that infrastructure spending is important. I represent the Los Angeles Basin, and we have very serious infrastructure problems. And so I recognize that government does have an appropriate role in dealing with infrastructure, and jobs are created when we put resources into infrastructure. I will acknowledge that.

But if you look at the other areas, when the President had his job summit the other day, we had a meeting of Republicans. One of the economists who participated was Kevin Hassett of the American Enterprise Institute, and he provided us with an amazing number. He said that he had his staff at AEI, the American Enterprise Institute, sit down and look at the challenge of the entire nearly $1 trillion in stimulus spending. He said, Tell me what would happen if we were to have taken that entire stimulus bill and just hired people.

Well, his staff came up with the following conclusion, Madam Speaker. He reported to us that if you look at the

average wage rate in the United States, it's $37,000 a year. That's the average wage rate across the country. If we were to take the entire stimulus bill and simply hire people, guess how many jobs would be created? I was stunned when Mr. Hassett reported to us that that number is 21 million. And when you look at how the stimulus dollars have been expended, we obviously haven't created that many jobs, Madam Speaker. But the fact is, if we were to take all of those resources and just hire people at the average wage rate across the United States of America, it would be 21 million jobs that would have been created.

That is not the way to deal with the challenge of the economic downturn. The way to deal with it is to encourage long-term private sector job creation and economic growth. That is why, when we look at these priorities and the urgency of dealing with the challenges that exist today, that is what we should be doing.

Now, as Ms. FOXX has appropriately said, Madam Speaker, we are here with a virtually unprecedented scenario before us. First, this rule gives something that according to our staff has not happened before, and that is, it gives the Chair the authority to just, without any action by the Members of the House, adjourn the House. That is a troubling sign. And it is troubling but not terribly surprising based on what we have seen over the past 3 years since we had first unveiled to us a document known as ''A New Direction for America.'' This was the proposal that was put forward by the now-Speaker of the House, who was then minority leader. And as minority leader, she was very concerned.

And I will acknowledge, having done a less than perfect job in my position as chairman of the House Rules Committee, I am proud of what our work product was, but I could have done better, and I will acknowledge that freely here. But it's interesting to note what ''A New Direction for America'' actually had. I would like to just share a couple of brief lines from that, if I might, Madam Speaker.

It says, Bills should be developed following full hearings and open subcommittee and committee markups, with appropriate referrals to other committees. Members should have at least 24 hours to examine a bill prior to consideration at the subcommittee level. Bills should generally come to the floor under a procedure that allows open, full, and fair debate.

I am going to repeat that, Madam Speaker. It says, Bills should come to the floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.

Members should have at least 24 hours to examine bill and conference report text prior to floor consideration. Rules governing floor debate must be reported before 10 p.m. for a bill to be considered the following day.

Now, Madam Speaker, as we know, virtually all of that has been thrown out the window.

The other thing that is unprecedented—and I mentioned this in the Rules Committee when I confirmed it with our staff—to my knowledge, this is the first session ever to go through the entire session of Congress without any bill being considered under an open rule. I know that my friend from Maine was there upstairs when I raised this issue, and I hope very much that she does have an opportunity soon, because as we've talked about—and this bill that is coming before us is an appropriations bill—again, for the first time ever we had the appropriations process shut down, shut down, denying Members an opportunity to offer amendments. Never before in the history of the Republic has that taken place, and we now have, unfortunately, seen that.

But as we prepare to extend Christmas and Hanukkah greetings to our colleagues and our friends across the country, it is very unfortunate that we have now—if we do in fact see today as the last day of the first session of this Congress—an entire session without any open rules.

I will tell you that there are many people on the Rules Committee who work long and hard to deal with challenges. We, as Ms. FOXX said, met into the evening last night, and then we were here at 7:30 this morning.

One of our Rules Committee staff members, Shane Chambers, who has worked long and hard, is getting ready to leave. I would like to say, Madam Speaker, how much I appreciate his work. He and his wife and new baby are moving to Dallas, Texas. I am sure that he will have an opportunity—even with a new baby—to get more rest than he does as a staff member on the House Rules Committee. But I would like to express appreciation to those staff members on both sides of the aisle who do work long and hard to address these challenges.

I am going to urge my colleagues to join in voting ''no'' on this rule because I believe that we can do better. This is not the appropriate way, and it is not what was promised to the American people.

□ 0945

Ms. PINGREE of Maine. Madam Speaker, I do want to thank my colleague, the ranking member on the committee, both for his history lesson and also for extending holiday greetings to those across the country. I do appreciate that, as a new Member, I often learn bits of the past from the things that he discusses with us, and I want to join him in thanking our hard-working staff. He is absolutely right. We were here late into the evening, and we were here early in the morning. I know that my colleagues put in many hours and that our staffs work very hard, and I want them to know I appreciate greatly their hard work on our behalf and for dealing with many of the challenges we often have before us which make our procedural challenges even more difficult as we try to determine how to get so much work done that is before us and with so much more to do. That is why we are here today—to talk about this same-day rule, to talk about the work that is before us.

I yield as much time as he is interested in consuming to my good colleague from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I appreciate my friend from Maine giving me some time to respond to my friend from California.

Madam Speaker, I think we were getting a little lesson in history about Kennedy, about Reagan, and about the Recovery Act that was passed earlier this session.

I'm glad my friend is now returning, because what he forgot to mention was that, with John Kennedy, when those tax cuts were made, the highest marginal rates were 70 percent. Today's highest marginal rates are half that. So we need to understand, when those cuts were made, it was a substantial amount higher than what we've experienced today. I would also remind my friend that, in the Recovery Act, which was passed earlier this year, $300 billion—about 40 percent of that bill—was in the form of tax cuts. So those kinds of efforts are being made.

I would also remind my friend that, when President Reagan came in in 1981, he did take some tough steps in trying to rebuild the economy, which was suffering from high interest rates and from a number of other things, and it wasn't just nirvana the next day. At least in Colorado, we had years of recession that lasted almost until 1990.

So what we see before us, really, I think, as a result of stabilizing the banking system last fall and of rejuvenating the economy in the spring with the Recovery Act, is downward pressure on unemployment. We are not out of the woods, but it is getting better. We can continue to do better than what we saw at the end of the Bush administration.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. PINGREE of Maine. I yield the gentleman another 1 minute.

Mr. DREIER. Would the gentleman yield?

Mr. PERLMUTTER. I yield 10 seconds to my friend from California.

Mr. DREIER. I am going to need more than 10 seconds to respond. I would be happy to ask my friend from the Grandfather community if she might yield 1 minute to the gentleman.

Ms. FOXX. I am happy to yield 1 minute to the gentleman from Colorado.

Mr. DREIER. Would the gentleman yield?

Mr. PERLMUTTER. I yield to my friend.

Mr. DREIER. I thank my friend for yielding.

Madam Speaker, let me just say very quickly that, under John F. Kennedy, it's true. We saw a 70 percent marginal rate dramatically reduced. We are not asking for a halving of marginal rates. The $300 billion in tax cuts have not been focused on job creators, which is exactly what President Kennedy did then.

I also want to say, Madam Speaker, that I recognize very well that, if you look at the provisions that have been put into place within the past year, we've not been focused on that private sector job creation that President Kennedy and President Reagan perceived.

I thank my friend for yielding.

Mr. PERLMUTTER. Reclaiming my time, I appreciate that, but I would disagree with my friend by saying, first of all, we provided tax credits for first-time home buyers to stimulate home construction and home sales. We provided tax credits, net operating loss, carrybacks, and carryforwards for businesses. We provided tax credits on depreciation. There are many, many business tax credits that have gone to stimulate the economy and to create jobs. So I would disagree.

Mr. DREIER. Will the gentleman further yield?

Mr. PERLMUTTER. Just for a second.

Mr. DREIER. Madam Speaker, let me just say that, again, the example that I used, the bipartisan example of the Kennedy/Reagan tax cuts, were marginal rate reductions for individuals, which encouraged job creation and a reduction of the capital gains rate, and we've chosen to increase taxes.

Mr. PERLMUTTER. I take back my time.

Madam Speaker, the business types of tax cuts as well as individual tax cuts are part of the package that is helping this country recover, but we aren't there yet. We haven't finished yet. We helped Wall Street with TARP money. That same money should be able to be available to Main Street. That's the purpose of today's bill. That's why this rule is important.

I would urge an ''aye'' vote on this rule as well as an ''aye'' vote on the underlying bill.

Ms. FOXX. Madam Speaker, I yield 2 minutes to the gentleman from California.

Mr. DREIER. Madam Speaker, I would be happy to engage in a colloquy further with my friend from Colorado to simply say that I believe very, very strongly, Madam Speaker, that it is important for us to recognize what needs to be done to encourage job creation and economic growth. What we have seen in the past year, unfortunately, has been a dramatic expansion of the size and scope and reach of government, which, frankly, I think, would concern both John F. Kennedy and Ronald Reagan.

The fact is the notion of this regulatory burden and tax cuts that are not modeled after the pro-growth model of President Kennedy and President Reagan are not going to create the kind of opportunity that we need. Why? Because we constantly hear this class warfare argument of ''tax the rich.''

This week's Economist has a very interesting piece, Madam Speaker, in which it focuses on the bonus tax that Prime Minister Gordon Brown in Great Britain is putting into place. The piece in The Economist is entitled, ''Class Warrior.'' It focuses on the fact, again, that Prime Minister Brown is trying to, with his policy, get the economy going when the British economy is, in fact, among those in Europe, doing the worst of the economies. We are in a position right now where he is engaging in class warfare, and The Economist has this great line, which reads, ''Market reforms are not what class warriors do.''

As we continue to attack job creators, as we continue to attack those at the upper end of the spectrum who are, in fact, struggling right now to get our economy back on track to create the private sector jobs, we've got policies here that are undermining that.

Ms. PINGREE of Maine. Will the gentleman yield?

Mr. DREIER. Of course, I am happy to yield.

Ms. PINGREE of Maine. I am happy to yield back again to my wonderful colleague from Colorado.

Mr. DREIER. I have got time. I will yield to him.

Ms. PINGREE of Maine. We will yield to everybody.

I want to answer one thing. The two of you have been entered into a colloquy, a very interesting one, going back to Kennedy.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Ms. PINGREE of Maine. I am happy to engage in a colloquy with both of my colleagues here, but let me just make one point to my much more senior and well-informed Members.

Mr. DREIER. If the gentlewoman would yield, that means older.

Ms. PINGREE of Maine. No, I don't think, actually, they are all older.

Anyway, I just want to say that, while this has been a very interesting history lesson and while I greatly appreciate my colleague from Colorado and his understanding of the financial services industry and of this world that we've been working so hard on to both regulate and to deal with, much of my colleague from California's remarks have been referring to President Kennedy and to President Reagan, which were very different eras.

I just want to remind my colleagues on the floor that we are here at the end of the Bush administration. When President Obama came to office, yes, the Democrats had been here for 2 years before and there were things that we were unable to fix when we were simply in the majority. The fact is that President Obama and this particular Congress—and I came here as a freshman—inherited the worst recession since the Great Depression, two wars that weren't paid for, a broken health care system, and a 1950s energy policy. That is what we have had to deal with. As my colleagues know, this has not been an easy year. We are here over and over again, attempting to deal with this.

I yield 1 minute to my colleague from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I appreciate my friend from Maine yielding.

I would just say to my colleague from Maine, as well as to my colleague from California, that I think that Ms. PINGREE has a very substantial point. My friend from California complained about the regulatory burden.

One of the reasons that this country is facing the recession that we are facing is as a result of the Wild West approach on Wall Street where there was no regulatory burden, or if there was, it was ignored by the regulators under the Bush administration. As a consequence, the private sector was brought to its knees last fall and is just now getting on its feet as a result of the rejuvenation—the Recovery Act—which was passed by this Congress and by President Obama. It is those kinds of things that have required intervention by the Federal Government to get this country back on its feet. We are not there yet, but we are heading in the right direction.

Ms. FOXX. Madam Speaker, I find it very interesting that my colleague from Maine says we find ourselves here at the end of the Bush administration. We have been in the Obama administration for a year, yet our colleagues across the aisle cannot stop hearkening back to President Bush and blaming him for everything that has happened in this country in the last year when President Bush hasn't been in office and while the Republicans have not been in control. The Democrats are in control. They have been in control of the Congress for 3 years.

They actually inherited from President Bush and from the Republican-controlled Congress a very excellent economy—55 straight months of job growth. In the first month that the Democrats took over the Congress, the economy started going downhill, and we can document that very, very easily. It isn't the Bush administration that deserves the blame for the ills of the economy; it's the Democrat-controlled Congress, which began in January of 2007, which is when the economy started going sour.

I want to go back to the issue at hand, which is: Why do we have closed rules? Why do we have a same-day martial law rule? Why isn't there time for us to debate the important issues that the American people want us to be debating?

Why is it, as my colleague from California has pointed out, that our most important function, that being the defense of this Nation and the appropriations for that part of the country—

which can be done by no other group of people in this country as the States can't do it and the locals can't do it—is left to be done on a day when everybody is trying to get out for Christmas, and we are doing it in a rush?

The Members aren't allowed to read the bill. The 72-hour rule has gone out the window. Nobody is allowed to read the bill because there is not enough time to do it. We have been operating, as my colleague said, under closed rules with bills with no amendments while we are doing things like recognizing the Grand Concourse on its 100th anniversary as the preeminent thoroughfare in the borough of the Bronx and as an important nexus of commerce and culture for the City of New York.

That is how our colleagues want to spend their time, which is by dealing with issues that are not a part of our critical job here in the House of Representatives, by dealing with things that could have been done on a voice vote; but we have to have no amendments allowed and no debate time because there isn't time to do these things, according to the chairman of the Appropriations Committee, and this is what we are doing.

Madam Speaker, I had an opportunity this week to, once more, visit Arlington National Cemetery. It is always a sobering thing to do. I went particularly to the active duty section this time where men and women who are currently serving our country have lost their lives. It gets one's attention. There were parents and relatives there, grieving, who had recently lost loved ones. I visited the eternal flame of John Kennedy. I don't have to be reminded of his comments in his inaugural speech, ''Ask not what your country can do for you. Ask what you can do for your country.''

□ 1000

We are in a totally different time, as my colleague has said. We are in a time where we have people representing this country who want wealth redistribution. They want to take money from some people and give it to others.

In fact, that seems to be their entire focus, spread the wealth around, take up time on frivolous issues. Don't deal with what's important, don't deal with national security, because we really don't want to talk about that. That's not what's important. But that is what is important to us.

I watched the soldiers who guard the Tomb of the Unknowns, and I was given some insight into the preparation that they have for that job and how difficult it is to get it.

Would that Members of Congress had a tiny little percentage of the dedication that these soldiers have for doing their jobs. They do everything with perfection. Perfection is not just the goal; it is the standard that those people live up to. We are falling far short of the standard that our military people uphold for our country.

We are so fortunate that we have men and women willing to serve and have been willing to serve since the founding of this country. This Congress is falling short of the goals that they set.

I support our military. I support the funding for our military and our troops, the equipment, the medical care and all that we are going to appropriate, but I don't support this martial law way of operating. I don't support the arrogance of this administration and this Congress to bring things up at the last minute and to disregard the needs of those people.

To put on the bills things that are irrelevant, things they don't think they can pass any other way, what a travesty, what a shame. What a shame on this Congress that we are doing this bill at the last minute and that we are putting these things on here.

We should be voting on appropriations for our military and honoring them here just before the holidays.

Madam Speaker, I will ask my colleagues to vote ''no'' on this same-day rule and ''no'' on the next rule so that we could stop and debate this and not be up against a deadline for a group of our Members to go to Copenhagen, adding to the carbon problem while they are going over there to talk about it.

I yield back the balance of my time.

Ms. PINGREE of Maine. Thank you to my colleague from North Carolina for her thoughts. While we don't always agree, I appreciate her reminding us about the soldiers who have fallen, about their families, about her visit to Arlington Cemetery.

I want to concur. I had the privilege of visiting the cemetery myself this week. Not only did I also grieve for those families who were there visiting the gravestones of their loved ones and their family members, and many who were just there to think about the people who they didn't even know who served for us.

I was also tremendously proud to see the thousands of wreaths that decorated those graves that had been brought down from my home State, the State of Maine, in honor of our fallen soldiers. There were 16,000 that were brought to Arlington Cemetery, and there were many people who traveled with them to make sure that we show the proper respect for our military, for our soldiers, and for those who served their country in the past and virtually every day.

I want to just say that we are here today in part to talk about making sure that there is adequate funding for our military. Yes, we all wish that our colleagues in the Senate had acted faster on this bill, that we weren't dealing with continuing resolutions, but this is the particular situation that we are in. It is very important that we finish our work before the end of the year, before the end of the holidays, that we recognize our soldiers, our current military, and many of the other needs in this bill, many of which will be discussed as soon as we finish the debate on this same-day rule.

Madam Speaker, in closing, I just want to say that the rule before us this morning simply allows the consideration of these measures to move forward.

We have heard a lot about the process this morning. I want to simply state for the record in the 109th Congress, before I was a Member of this body, the Republican majority reported out over 20 rules that allowed for same-day consideration.

Madam Speaker, I urge my colleagues to vote for this rule and for the underlying measures before us today. These programs are too important. Our constituents are in too much turmoil to slow this process down any further.

I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Ms. FOXX is as follows:

AMENDMENT TO H. RES. 973 OFFERED BY MS. FOXX OF NORTH CAROLINA

At the end of the resolution, insert the following new section:

SEC. 2. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration; which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To

defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. PINGREE of Maine. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR THE SINE DIE ADJOURNMENT OF THE FIRST SESSION OF THE 111TH CONGRESS

Ms. PINGREE of Maine. Madam Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 223

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Wednesday, December 16, 2009, through Saturday, January 2, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 3 of this concurrent resolution; and that when the Senate adjourns on any day from Friday, December 18, 2009, through Saturday, January 2, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 3 of this concurrent resolution.

SEC. 2. When the House adjourns on any legislative day of the second session of the One Hundred Eleventh Congress from Tuesday, January 5, 2010, through Saturday, January 9, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand adjourned until noon on Tuesday, January 12, 2010, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day of the second session of the One Hundred Eleventh Congress from Tuesday, January 5, 2010, through Saturday, January 9, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it shall stand recessed or adjourned until noon on Tuesday, January 19, 2010, or until such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 3. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The concurrent resolution is not debatable. The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Concurrent Resolution 223 will be followed by 5-minute votes on ordering the previous question on H. Res. 973; adoption of H. Res. 973, if ordered; and the motion to suspend the rules on H. Con. Res. 160.

The vote was taken by electronic device, and there were—yeas 222, nays 195, not voting 17, as follows:

[Roll No. 978]

YEAS—222

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chaffetz
Chandler
Chu
Clarke
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Eshoo
Etheridge
Farr
Fattah
Foster
Frank (MA)
Fudge
Garamendi
Gohmert
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson (IL)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kind
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Linder
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—195

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Arcuri
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Dahlkemper
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)

Dreier
Driehaus
Duncan
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Himes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jones
Jordan (OH)
Kilroy
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Massa
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Paulsen
Pence
Perriello
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Sestak
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—17

Barrett (SC)
Cardoza
Clay
Engel
Filner
Hall (NY)
Johnson, E. B.
Kaptur
Markey (MA)
Moran (VA)
Murtha
Paul
Radanovich
Simpson
Speier
Wexler
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1037

Messrs. JORDAN of Ohio, MASSA, MAFFEI, McMAHON and Ms. KILROY changed their vote from ''yea'' to ''nay.''

Mr. GOHMERT changed his vote from ''nay'' to ''yea.''

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 978, I was away from the Capitol. Had I been present, I would have voted "yes."

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 973, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 192, not voting 16, as follows:

[Roll No. 979]

YEAS—226

Abercrombie
Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—192

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Baird
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Perriello
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Barrett (SC)
Cardoza
Clay
Filner
Hall (NY)
Johnson, E. B.
Kaptur
Moran (VA)
Murtha
Paul
Radanovich
Sessions
Simpson
Speier
Thompson (CA)
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1046

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 979, I was away from the Capitol. Had I been present, I would have voted "yes."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. FOXX. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 202, not voting 14, as follows:

[Roll No. 980]

AYES—218

Abercrombie
Ackerman
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—202

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Baird
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paulsen
Pence
Perriello
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Quigley
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Barrett (SC)
Cardoza
Clay
Filner
Hall (NY)
Johnson, E. B.
Moore (KS)
Moran (VA)
Murtha
Paul
Radanovich
Simpson
Speier
Wexler

□ 1054

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 980, I was away from the Capitol. Had I been present, I would have voted "yes."

HONORING THE AMERICAN KENNEL CLUB

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 160, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 160, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 0, not voting 15, as follows:

[Roll No. 981]

YEAS—419

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)

Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—15

Barrett (SC)
Cardoza
Clay
Filner
Hall (NY)
Johnson, E. B.
Lynch
McMahon
Moran (VA)
Murtha
Paul
Radanovich
Simpson
Slaughter
Speier

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining on this vote.

□ 1106

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A concurrent resolution recognizing the contributions of the American Kennel Club.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 981, I was away from the Capitol. Had I been present, I would have voted "yes."

Ms. SLAUGHTER. Madam Speaker, I was unavoidably detained and missed rollcall vote No. 981. Had I been present, I would have voted "aye" on rollcall vote No. 981.

PERSONAL EXPLANATION

Mr. RADANOVICH. Madam Speaker, I was unable to make today's votes on the House floor due to a family illness. Had I been present I would have voted as follows: "No" on rollcall vote No. 978, the Adjournment Resolution, H. Con. Res. 223; "no" on rollcall vote No. 979, on ordering the previous question on H. Res. 973 for consideration of a same day rule; "no" on rollcall No. 980, on the adoption of H. Res. 973, for consideration of a same day rule; and "aye" on rollcall vote No. 981, on the motion to suspend the rules and agree to H. Con. Res. 160, Honoring the American Kennel Club on its 125th Anniversary.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, on rollcall Nos. 978, 979, and 981, I would have voted "yea." On rollcall No. 980, I would have voted "aye."

PERSONAL EXPLANATION

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed the following recorded votes on the House floor on Tuesday, December 15, 2009 and on the morning of Wednesday, December 16, 2009.

On Tuesday, December 15, 2009, had I been present I would have voted "aye" on rollcall vote No. 971 (on motion to suspend the rules and agree to H. Res. 894); "aye" on rollcall vote No. 972 (on motion to suspend the rules and agree to H.R. 1517); "aye" on rollcall vote No. 973 (on motion to suspend the rules and agree to H.R. 3978); "aye" on rollcall vote No. 974 (on motion to suspend the rules and agree to H. Res. 971); "aye" on rollcall vote No. 975 (on motion to suspend the rules and agree to H.R. 2194); "aye" on rollcall vote No. 976 (on motion to suspend the rules and agree to H. Res. 150); "aye" on rollcall vote No. 977 (on motion to suspend the rules and agree to S. 1472).

On December 16, 2009, had I been present I would have voted "no" on rollcall vote No. 978 (on agreeing to H. Con. Res. 223, providing for the sin die adjournment of the first session of the 111th Congress); "no" on rollcall vote No. 979 (on ordering the previous question to H. Res. 973); "no" on rollcall vote No. 980 (on agreeing to H. Res. 973; "aye" on rollcall vote No. 981 (on motion to suspend the rules and agree to H. Con. Res. 160).

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3326, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010; FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 64, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2010; FOR CONSIDERATION OF H.R. 4314, PERMITTING CONTINUED FINANCING OF GOVERNMENT OPERATIONS; FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2847, JOBS FOR MAIN STREET ACT, 2010

Ms. PINGREE of Maine. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 976 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 976

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 64) making further continuing appropriations for fiscal year 2010, and for other purposes. All points of order against consideration of the joint resolution are waived except those arising under clause 9 or 10 of rule XXI. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 3. Upon the adoption of this resolution it shall be in order to consider in the House tie bill (H.R. 4314) to permit continued financing of Government operations. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 4. Upon the adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with the amendment printed in part B of the report of the Committee on Rules. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 5. In the engrossment of the House amendment to the Senate amendment to H.R. 2847, the Clerk shall—

(a) add the text of H.R. 2920, as passed by the House, as new matter at the end of the text proposed to be inserted by the House amendment;

(b) assign appropriate designations to provisions within the engrossment of the text proposed to be inserted by the House; and

(c) conform provisions for short titles within the engrossment of the text proposed to be inserted by the House.

SEC. 6. It shall be in order at any time during the remainder of the first session of the

One Hundred Eleventh Congress for the Speaker to entertain motions that the House suspend the rules. The Speaker or her designee shall consult with the Minority Leader or his designee on the selection of any matter for consideration pursuant to this section.

SEC. 7. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived for the remainder of the first session of the One Hundred Eleventh Congress.

SEC. 8. The chair of the Committee on Appropriations may insert in the CONGRESSIONAL RECORD at any time during the remainder of the first session of the One Hundred Eleventh Congress such material as he may deem explanatory of the Senate amendments and the motions specified in the first and fourth sections of this resolution.

SEC. 9. On any legislative day of the second session of the One Hundred Eleventh Congress before January 12, 2010, the Speaker at any time may dispense with organizational or legislative business.

SEC. 10. On any legislative day of the second session of the One Hundred Eleventh Congress before January 12, 2010, the Chair at any time may declare the House adjourned or declare the House adjourned pursuant to an applicable concurrent resolution of adjournment.

SEC. 11. (a) On any legislative day of the first session of the One Hundred Eleventh Congress, the Speaker may at any time declare the House adjourned.

(b) When the House adjourns on a motion pursuant to this subsection or a declaration pursuant to subsection (a) on the legislative day of:

(1) Wednesday, December 16, 2009, it shall stand adjourned until 6 p.m. on Saturday, December 19, 2009.

(2) Saturday, December 19, 2009, it shall stand adjourned until noon on Wednesday, December 23, 2009.

(3) Wednesday, December 23, 2009, it shall stand adjourned until 10 a.m. on Saturday, December 26, 2009.

(4) Saturday, December 26, 2009, it shall stand adjourned until noon on Wednesday, December 30, 2009.

(5) Wednesday, December 30, 2009, it shall stand adjourned until 10 a.m. on Saturday, January 2, 2010.

(c) If, during any adjournment addressed by subsection (b), the House has received: (1) confirmation that the President has approved H.R. 3326; (2) a message from the Senate transmitting its passage without amendment of H.R. 4314; and (3) a message from the Senate transmitting its concurrence in an applicable concurrent resolution of adjournment, the House shall stand adjourned pursuant to such concurrent resolution of adjournment.

(d) The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by this section as though under clause 8(a) of rule I.

□ 1115

POINT OF ORDER

Mr. FLAKE. Madam Speaker, I raise a point of order against H. Res. 976 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the legislation, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(1).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule, and the gentleman from Arizona and a Member opposed each will control 10 minutes of debate on the question of consideration. After that debate, the Chair will put the question of consideration.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Speaker, approximately 68 years ago, in January of 1941, Sam Rayburn was elected Speaker of the House of Representatives. Just prior to his swearing in, he rose on the House floor and said the following:

''You have elevated me to a position, I must confess, that has been one of the ambitions of my lifetime. The House of Representatives has been my life and my love for this more than a quarter of a century. I love its traditions; I love its precedents; I love its dignity; I glory in the power of the House of Representatives. It is my highest hope and my unswerving aim to preserve, protect, and defend the rights, prerogatives, and the power of the House of Representatives.''

What a beautiful statement. You can't help but hear and feel the words of love that Speaker Rayburn felt for this House. As Speaker, he considered himself a custodian of its traditions, its precedents and, as he put it, its dignity.

You might ask why I tell this story, why I raise this point. It is because we are about to consider a bill that endorses and condones a practice that has placed a dark and ominous cloud over this institution. This practice, for lack of a better term, can be called circular fund-raising. It involves the awarding of earmarks, which are essentially no-bid contracts, in close proximity to the receipt of campaign contributions from the earmark recipients.

This legislation contains more than 500 earmarks where a private, for-profit company is the intended recipient. Let me repeat that. This legislation we are about to consider contains more than 500 earmarks, or no-bid contracts, directed to private companies. In many cases, the Members of the Congress securing these no-bid contracts have either received, or will soon receive after this legislation is enacted into law, large campaign contributions from the executives of these companies and/or the lobbyists that represent them.

By now my colleagues are well aware of the PMA scandal which was largely centered on the practice of circular fund-raising. Since news broke in February 2008 of the FBI's raid of the PMA offices, press reports and editorials from coast to coast have raised questions about the action of that firm and the integrity of this body, sowing public distrust and tarnishing the dignity of the House. Just listen to what is being said off the Hill and beyond the beltway.

ABC's news site, The Blotter, noted that PMA's ''operations—millions out to lawmakers, hundreds of millions back in earmarks for clients—have made it, for many observers, the poster child for tacit 'pay-to-play' politics in Washington.''

An editorial in The New York Times entitled, ''Political Animal 101'' referred to ''the relationship between campaign donors and the customized appropriations they are fed by grateful lawmakers'' as ''the ultimate in symbiotic survival'' and ''cynical influence trading.''

An article in The Kansas City Star noted that ''the earmark game gets a bit less baffling'' when taxpayers consider ''the campaign donors that grease political palms.''

The Columbus Dispatch summed it up when they noted, ''Congress has an abysmal public approval rating of 26 percent as of early November, and the smell of quid pro quo certainly doesn't help.''

The embarrassing coverage isn't just limited to domestic press. The Irish Times noted that ''U.S. Congressmen tread a fine line between legitimate political fund-raising and influence-peddling, between friendship with lobbyists and outright corruption.'' They go on, ''Now a leaked confidential report, prepared by the committee (on Ethics) in July and detailed in yesterday's Washington Post, has provided a rare glimpse into the cesspool of Capitol Hill politics.''

Madam Speaker, I have here that article referred to from The Washington Post dated October 30 of this year. It notes that seven Members who sit on the Appropriations Committee, the Subcommittee on Defense, are ''under scrutiny by ethics investigators.'' The article notes that ''Together, the seven legislators have personally steered more than $200 million in earmarks to clients of the PMA Group in the past 2 years, and received more than $6.2 million in campaign contributions from PMA and its clients in the past decade.''

According to The Wall Street Journal, Members who sit on the Defense Subcommittee have this year alone ''received a total of $141,000 in campaign contributions from companies that received earmarks from the lawmakers.''

So here we are today, Madam Speaker, with a backdrop of investigations into the practice of circular fund-raising by the Justice Department and our own Ethics Committee, yet we are poised to pass a Defense appropriations bill that contains more than 500 no-bid contracts for private companies.

In mid-January of 2010, we will see a quarterly report from the Office of Congressional Ethics that will shed light into their investigations. Thereafter, it is likely that our own Ethics Committee will have to provide additional notice of their actions related to the PMA scandal.

If the future is anything like the past, additional scandals will spring from the earmarks that we approve

today. We are surely, as the poet said, ''traipsing down a flower-strewn path unpricked by thorns of reason.''

I should note that circular fund-raising is not a partisan issue; both parties engage in it. The cloud that hangs over this body rains on Republicans and Democrats alike. But it is fair to ask, what about the dignity of this body? Are we appropriately concerned that the words ''pay-to-play,'' ''quid pro quo,'' ''swamp'' and ''cesspool'' are increasingly routine in articles describing the appropriations process? Should we have no standard higher than whether the abuse of the process rises to the level of an indictable offense?

One thing is clear: The practice of circular fund-raising will someday end. The question is, who will end it? Will it take us, in our own initiative, to clean our own House, or will we wait for the Justice Department to launch more investigations and take further action?

My own hope is that those who find themselves in leadership positions today will summon the dormant custodial spirit of those who have protected and defended this wonderful institution long before we arrived in this Chamber. We owe it to them to correct the process that led to this flawed piece of legislation before us.

I reserve the balance of my time.

Ms. PINGREE of Maine. Madam Speaker, I claim time in opposition.

The SPEAKER pro tempore. The gentlewoman is recognized for 10 minutes.

Ms. PINGREE of Maine. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as my colleagues know, we have been here before. This is the same point of order that has been raised against almost every appropriations measure during this Congress, and each time it is used to discuss something other than its intended purpose.

I would want to respond to my good colleague from Arizona that I, too, share concerns about the earmarking process, and I encourage him to become a cosponsor on the fair elections bill. As we have in Maine, public financing takes away much of the scrutiny around the link between campaign contributions and earmarks.

But once again, this particular debate is about delaying consideration of this bill and ultimately stopping it altogether. I hope my colleagues will again vote ''yes'' so we can consider this important legislation on its merits and not stop it on a procedural motion.

This rule provides for enactment of legislation to fund our Nation's defense. The brave men and women who serve in the military, particularly those who are currently at war in Iraq and Afghanistan, deserve a swift enactment of this legislation.

This legislation that we will take up later today will also divert TARP money to programs that create and save jobs across the country. We do this by investing $75 billion of TARP money into highways, transit, school renovation, hiring teachers, police, firefighters, supporting our small businesses, funding job training, and affordable housing. And for those hardest hit by the recession, this bill also provides emergency relief by extending programs like unemployment benefits, COBRA, FMAP, our health care funding for the State, and the child care tax credit.

Those who oppose this measure can vote against it on final passage. We must consider this rule, and we must pass this critical legislation today.

I have the right to close, but in the end I will urge my colleagues to vote ''yes'' and consider the rule.

Madam Speaker, I reserve the balance of my time.

Mr. FLAKE. Madam Speaker, may I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from Arizona controls 3 remaining minutes.

Mr. FLAKE. I am accused of using a procedural measure to bring up earmarks again. Let me tell you why I'm doing that. I'm doing that because this year, for the first time in the history of this institution, every appropriations bill that came to the floor—including this one, including the Defense appropriations bill—came under a structured or closed rule with only certain amendments being offered. That's the first time in the history of this institution where every appropriations bill has come to the floor in that manner.

And so individuals like myself and others were only allowed to offer the amendments that the other side wanted us to offer, the ones that they said we could offer rather than the ones that we ourselves would choose. I was fortunate in that I got 10 of the 550-some amendments I offered on this bill. I offered that many because that's how many no-bid contracts for private companies are contained in the bill, and I thought that they deserved some scrutiny.

I wish that the Appropriations Committee was vetting these earmarks; given this, it's clear that they're not. This is one of hundreds of articles out there. There is a cloud hanging over this institution because of prior Defense bills, and this is going to end up the same way. We are guaranteeing that there will be scandal that springs from earmarks approved in this bill because they haven't been appropriately vetted, and they haven't been because we weren't allowed an open rule for people to bring to the floor amendments that they wanted to offer.

I mentioned that I was fortunate in that I got 10 of them. Some of my colleagues offered multiple amendments on multiple appropriations bills throughout the year and weren't given the opportunity to offer any of them, not one. Here are Members across the country wanting to represent their constituents, and through the entire appropriations process, 12 bills this year, weren't given the opportunity to offer one amendment because we have the equivalent of martial law on appropriations bills.

And why? Because we were told we had to get it done so we wouldn't do any omnibus bills at the end of the year. Well, here we are, we just approved a massive omnibus bill last week, and we're here today because the Defense bill was held just so that we could tag on additional items that people who wouldn't want to vote for them anyway would have to because it's a Defense bill. That's just no way to conduct business. This institution deserves better than this. It deserves better than to have a bill that has more than 500 no-bid contracts for private companies of which articles have been written and will be written, making a cloud hang over this body.

As I mentioned, this isn't a partisan issue. This isn't where one party is in the right and one party is in the wrong. We are both doing this, and we shouldn't. And it will come back to haunt us as surely as other practices have in the past.

Madam Speaker, I yield back the balance of my time.

Ms. PINGREE of Maine. Madam Speaker, again I want to urge my colleagues to vote ''yes'' on this motion to consider so that we can debate and pass this and the other important items covered by this rule.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Shall the House now consider the resolution?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The gentlewoman from Maine (Ms. PINGREE) is recognized for 1 hour.

Ms. PINGREE of Maine. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina, Dr. Foxx. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. PINGREE of Maine. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 976.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maine?

There was no objection.

Ms. PINGREE of Maine. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, House Resolution 976 provides for the consideration of the Senate amendment to H.R. 3326, House Joint Resolution 64, H.R. 4314, and the Senate amendment to H.R. 2847.

For the Senate amendment to H.R. 3326, the rule makes in order a motion to concur in the Senate amendment with the House amendment, provides 1 hour of debate controlled by the Committee on Appropriations, and waives

all points of order against consideration of the motion except those arising under clause 10 of rule XI.

□ 1130

The rule provides for consideration of H.J. Res. 64 under a closed rule. It provides for 1 hour of debate controlled by the Committee on Appropriations. It provides one motion to recommit with or without instructions. It waives all points of order against consideration of the joint resolution except those arising under clause 9 or 10 of rule XXI, and it waives all points of order against provisions in the joint resolution.

The rule provides for consideration of H.R. 4314 under a closed rule. It provides for 1 hour of debate controlled by the Committee on Ways and Means. It provides one motion to recommit with or without instructions. It waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI, and it waives all points of order against provisions in the bill.

For the Senate amendment to H.R. 2847, the rule makes in order a motion to concur in the Senate amendment with the House amendment. It provides 1 hour of debate on the motion controlled by the Committee on Appropriations, and it waives all points of order against consideration of the motion except those arising under clause 10 of rule XXI.

The rule provides that in the engrossment of the House amendment to the Senate amendment to H.R. 2847, the Clerk shall add the text of H.R. 2920 as passed by the House.

The rule also provides that measures may be considered under suspension of the rules at any time during the remainder of the first session of the 111th Congress.

The rule waives the requirement of a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee for the remainder of the first session of the 111th Congress.

The rule provides that the Chair of the Committee on Appropriations may insert in the CONGRESSIONAL RECORD explanatory materials on the Senate amendments and the motions regarding H.R. 3326 and H.R. 2847.

The rule provides that, on any legislative day before January 12, 2010, the Speaker may dispense with organizational or legislative business.

The rule provides that, before January 12, 2010, the Chair may declare the House adjourned.

The rule provides for pro forma sessions until the House adjourns sine die.

And finally, the rule provides that, on any legislative day of the first session of the 111th Congress, the Speaker may declare the House adjourned.

Madam Speaker, the rule before us today allows the House to consider the Department of Defense Appropriations Act for fiscal year 2010, which is the last appropriations bill for this fiscal year.

The conference agreement on H.R. 3326 provides over $363 billion towards protecting our troops abroad and taking better care of their families at home. To help protect our troops, this bill provides increased funding for the Mine Resistant Ambush Protected Vehicle Fund and for the procurement of new Humvees and of new heavy and medium tactical vehicles. This is particularly important given the casualty rate and the difficulties our soldiers are experiencing in Afghanistan.

H.R. 3326 increases pay for all servicemembers by 3.4 percent, and it fully funds the requested end strength levels for active reserve and selected reserve personnel. The bill provides over $29 billion for top-of-the-line medical care, including $120 million for traumatic brain injury and psychological health, and it increases funding for the wounded, the ill and injured warrior programs.

The conference agreement also includes over $472 million for family advocacy programs, and it fully funds the family support and yellow ribbon programs. The bill also includes $20 million for the Army National Guard family assistance centers and reintegration programs; but this bill cannot provide for the common defense without a common effort.

In my home State of Maine, there are men and women who work every day to help in this effort. The funding in this bill would have been wasted if it weren't for the efforts of the welders, designers, and metal workers of the Bath Ironworks; of the skilled factory workers and assembly men at Vintech in Biddeford, Maine; of the world-class machinists and engineers at Pratt and Whitney in North Berwick; or of the dedicated laborers and nuclear engineers at the Portsmouth Naval Shipyard.

This is a clear example of why the bills before us today are so interconnected. Our economic security and our national security are inextricably linked, and our economic security is still in dire straits.

Madam Speaker, if you were sitting at a boardroom table on Wall Street today, you might hear the employees with Goldman Sachs discussing their $1 billion in profits or bonuses or you might hear employees of Citibank discussing raises for their top executives. You might also hear that the stock market has gone up 60 percent since the spring. You might even hear terms like ''economic recovery'' or ''rebound.'' So, if you are sitting at that boardroom table on Wall Street, you might think that the economy has fully bounced back and that we are out of the woods. You may start to believe that there is nothing but smooth sailing ahead.

Yet, if you were at a kitchen table on Main Street in my home State of Maine, you would hear a very different story. Rather than talk of large profits, you would hear families discussing a savings account that has all but disappeared. Instead of listening to talk of raises or bonuses, you would hear families debating cutbacks on food or cutbacks on health care. Instead of hearing phrases like ''economic recovery'' or ''rebound,'' you would hear terms like ''high unemployment'' and ''mounting debt.''

For the big banks on Wall Street, the economic recovery may be at hand, but for the millions of unemployed workers and for the thousands of small businesses that are struggling to get by, the economic recovery is still a long way off. In my State and all across the country, there are millions of Americans who want to get back to work, but they need us to lend the same helping hand that we gave to Wall Street in its time of need.

Madam Speaker, the rule before us today allows for the consideration of the Jobs for Main Street Act, which will move us down that road. This legislation invests in our Nation's infrastructure, and it puts more Americans back to work by providing $48 billion to rebuild and repair our national transportation system. This investment provides a measurable return, not only by creating and preserving jobs but by literally building the foundation for a long-term economic recovery. This bill will also preserve the jobs of teachers, of police officers, and of firefighters. For those who have already lost their jobs, the Jobs Act extends unemployment benefits for 2 months, and it maintains the current COBRA subsidy.

These programs—these investments, the economic lifelines—have a real impact. Just this week, I heard from a constituent of mine who said these words: Something needs to be done. There are less than 4 weeks left for my husband's unemployment. After that, we won't be able to pay the rent, and we will be out on the streets with a child under 2 years old. Every day, I wonder what is going to happen next, and I even have nightmares. You bail out these large banks which then only raise our interest rates and lower our credit lines—and for what? That doesn't help the little guy like us. Do something to help us.

Madam Speaker, we have the opportunity and we have the obligation to take the bailout money that was used as a lifeline to Wall Street and to give that money back to the American people and to those who have been hit the hardest by these tough economic times. The COBRA subsidy we passed this spring began expiring a few weeks ago. If we don't act now, it will completely disappear by January 1. In my State, full payment for COBRA uses up nearly 90 percent of the average unemployment benefits. That means out-of-work Mainers end up with only about $150 a month left after paying the full cost of their health insurance.

We need to act now, and we need to act fast to ensure that Main Street recovers. If we do not act, we will have only assured that Wall Street keeps

their bonuses while American families lose their benefits. We will have only watched Wall Street get rid of their debt while watching small businesses take on more.

Madam Speaker, we have already put more than enough into shoring up Wall Street. Now we need to focus on creating jobs for the average American that will rebuild our economy from the bottom up.

I reserve the balance of my time.

Ms. FOXX. I yield myself such time as I may consume.

I thank my colleague from Maine for yielding time.

Madam Speaker, the Department of Defense appropriations bill for fiscal year 2010 is intended to provide equipment and technology for our troops. Our country's greatest treasure lies in the bravery, in the dedication, and in the ability of or servicemen and -women. These courageous individuals protect our freedoms every day.

We thank them, and we thank their families for their support, dedication, and sacrifice.

This bill provides top-of-the-line medical care for our troops, including funding for traumatic brain injury and psychological health. This bill provides funding for wounded, ill, and injured servicemembers as well as for cancer research. This bill provides our military with a pay increase, and it continues efforts to end the practice of stop loss—compensating troops for every month their terms of service will be involuntarily extended in 2010. This bill includes funding to provide support for our country's military families who sacrifice every day on behalf of our Nation and to whom we owe a great debt. This bill provides our troops with first-class military equipment and readiness training, ensuring they are fully prepared to successfully perform their missions.

However, while this bill contains funding for several important and necessary initiatives, I would be remiss if I did not mention my disappointment in the overall funding levels when compared to the increases we have seen throughout the appropriations season this year. While the bill does receive, roughly, a 4.5 percent increase over last year, this increase is not comparable to nondefense appropriations bills we have voted on this year, which average a 12 percent increase in funding levels. As we have noted before, the Federal Government is the only unit of government to provide for our national security.

These represent the wrong priorities of the Democrats, who are in charge of the Congress, and of the Obama administration. Increasing spending for domestic priorities by double digits while, in comparison, shortchanging national defense represents a dangerous, wrongheaded policy that does not rightly prioritize the security of our Nation.

Thus, while I am pleased that several items in this bill are being funded in order to provide our troops with the tools, training, and medical services they need and deserve, I am disappointed that, after increasing the funding levels for domestic appropriations bills by an average of 12 percent, the Democrats in control decided only to increase our defense spending by 4.5 percent—less than half—for the coming year.

This is the last appropriations bill, and that is because it has been held in order for the majority to put into it things that are not related, which I will be discussing a bit more, but the substance of the DOD appropriations bill is not the source of my concern.

The extent of the closed rule before us today allows for the consideration of a variety of additional legislation that has been cobbled together without committee consideration. As my colleagues have said before, our colleagues across the aisle have gone to great lengths to shut down debate. Therefore, I urge my colleagues to vote ''no'' on the rule so the bill can be returned to the committee and can be brought back under regular order.

Madam Speaker, I reserve the balance of my time.

Ms. PINGREE of Maine. Madam Speaker, I yield 3 minutes to a member of the Committee on Rules, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I thank my colleague for yielding.

Madam Speaker, I rise in support of this rule, and specifically, I rise in support of the Jobs for Main Street Act, which we made in order under this rule. This important bill will provide the following:

$48 billion for highways, transit, and other infrastructure projects; $27 billion to hire teachers, police, firefighters, and for other job training programs. That's $75 billion for job-creating programs that are proven successes and that will help put Americans back to work. On top of that, the Jobs for Main Street Act provides $79 billion in emergency relief funding that will go to critical safety net programs like unemployment benefits, health insurance for unemployed workers, Federal matching funds for Medicaid, and funding for the child tax credit.

All told, Madam Speaker, the Jobs for Main Street Act is a good bill, one that will build on the success of the Recovery Act, which was signed into law earlier this year and which is one that will put people back to work. We know that these are difficult economic times, and we recognize that the American public is hurting. With the Jobs for Main Street Act, we will continue to stimulate the economy, to shrink the unemployment rate, and, more importantly, to create new jobs.

Ten months after President Obama signed the Recovery Act into law, we are seeing real results across the country. According to the Transportation and Infrastructure Committee, real jobs are being created by the Recovery Act, and we are seeing the impact of these jobs in the unemployment figures. Look at the results:

Because of the Recovery Act, we have seen the creation of almost 630,000 direct and indirect jobs in the transportation industry alone. That's 210,000 direct hires alone. The result of these direct hires is a $1.1 billion payroll. It is $179 million in unemployment compensation not spent. It is people's insurance restored, health insurance restored, and it is $230 million in paid Federal taxes. Additional jobs have been created because of the clean water and high-speed rail projects.

All told, the Transportation and Infrastructure Committee estimates that the Recovery Act has created or has sustained approximately 857,000 jobs. All of this underscores the importance of public infrastructure programs. These aren't projects just for the safety and well-being of our friends and neighbors; they are also projects that put these friends and neighbors back to work.

Madam Speaker, this Congress is acting. This House will pass the Jobs for Main Street Act and even more jobs will be created.

□ 1145

Earlier this year, my Republican friends chose politics over the needs of the American people, and every single one of them opposed the Recovery and Reinvestment Act.

They liked the same old, same old. Well, that was their way of thinking. That's the old way of thinking. That way of thinking took Bill Clinton's accomplishments in creating a record number of jobs and eliminating our deficits and paying down the debt and turned it into George Bush's recession, a recession that cost millions of Americans jobs, a recession that added billions and billions to our debt and added that debt on the backs of our children and our grandchildren.

Madam Speaker, people in this country want us to act. People want us to create jobs, and that's what we are going to do.

Ms. FOXX. Madam Speaker, I would now like to yield 3 minutes to my very distinguished colleague from Texas, one of only five CPAs in the House, Mr. CONAWAY.

Mr. CONAWAY. I thank the gentlewoman from North Carolina.

I want to talk to two aspects of this rule, one that sets up the vote on a trick that allows us to vote on the ''son of stimulus'' bill that will becoming before us later on this afternoon, and that is voting, having stripped out the Senate amendment to H.R. 2847 and put in place this other legislation.

This trick silences the minority one more time. It would not allow for a motion to recommit and/or a substitute on that bill.

This legislation of some $150 billion was apparently thrown together in the dark last night, posted on the Internet

about 11:10, so we are now 12 hours and 25 minutes into being able to study this bill, again thrown together. It will increase the deficit in spite of the rhetoric that says we are going to use TARP money to do that.

The intent of TARP all along was once it was paid back was to be back into the Treasury to reduce the amount of money we have to borrow and/or reduce the deficit. There are two provisions in this slush fund and this bill that you need to be aware of. One is that it creates additional billion-dollar spending in the Barney Frank trust fund, the housing slush fund, and makes ACORN available to get back into the game, much to the chagrin of this body, as we voted on.

It also replaces $2 billion in the Cash for Clunkers money that came out of the stimulus bill last summer. We were on the bill when the proponents of the Cash for Clunkers said this will not increase the deficit because we will take it out of the stimulus money. Immediately the Speaker came to the floor, along with the others, and said, au contraire, we will find a replacement for that $2 billion, and it's in this bill.

Now the stimulus bill, the first stimulus, is up to 787 billion, because, as you all know we all enjoyed the Cash for Clunkers work, but this money is back in the bill with respect to the new stimulus.

The other bill I would like to talk about is the Defense Department appropriations bill. This rule waives the demand, waives the requirement that the chairman of the Appropriations Committee post on the Internet the earmarks and/or plus-ups, depending on how you want to call those, in this bill, some 1,700 of them, we were told. Some are good, some are bad, but we ought to know what's in there.

They were shortly posted on the Internet last night for a brief period of time and then taken down. Madam Speaker, I would like to know what's in this bill that embarrasses the majority that they will not allow this transparency to come before us to allow us to look at it. Like I said, I am not against or for any of those necessarily, but we don't know what they are.

By not posting them until after this bill is voted on sometime between now and the end of the year, we are going to be voting blind one more time at the specific request of the majority. It is your responsibility, Madam Speaker, through the chairman of the Appropriations Committee, to have posted these earmarks on the Internet so that those of us could look at them and see them.

We are not going to see those. What has been stuck in here in the dark of night between last summer when we passed the bill and when we are going to vote on this afternoon? Why are there things in there that's going to embarrass the majority before we take this vote?

Madam Speaker, I urge my colleagues to vote against this rule and against the underlying bill on the ''son of stimulus'' bill.

Ms. PINGREE of Maine. Madam Speaker, I yield 3 minutes to the gentleman from New York, a member of the Committee on Rules, Mr. ARCURI.

Mr. ARCURI. I would like to thank my colleague from Maine for yielding.

I rise today in support of consideration of H.R. 3326, the Department of Defense Appropriations Act and the underlying rule, not for the reasons just stated by my friend from Texas, but because the bill ensures that our brave men and women who are in the military are paid what they deserve to be paid for defending us, that they have the tools to fight the war on terror and that they are able to do the things that we ask them to do, and that is to fight terror, to keep us safe. That is why I support this bill and the underlying rule.

I would like to thank and commend the members of the Appropriations Committee in the House and Senate, their counterparts for bringing before us this bipartisan approach that puts the preparedness and safety of our troops first, and also continues President Obama's pledge to put the cost of the war on the books.

The bill does not include funding for an escalation of troops in Afghanistan, and I have heard some of my colleagues on the other side of the aisle criticize that we may have to consider a supplemental measure to provide funds for that purpose. I want to make it very clear. There is a difference between requesting supplemental funding to address changes on the ground and simply using the supplemental appropriation acts to fund the majority of the wars in Iraq and Afghanistan as we have done under the prior administration.

The House passed our version of the Defense Appropriations Act on July 30 of this year. At that time we determined the amount of spending necessary for the ongoing operation in Iraq and Afghanistan. Since that time, our generals have stated that they believe conditions in Afghanistan warrant additional troops. President Obama is listening to those generals in the field and may require additional funds. However, that is what supplemental appropriations acts are intended for, responding to changes in circumstances throughout the year, not for funding ongoing operations.

In addition to ensuring that our troops have first-class weapons and equipment, the bill also includes other important aspects that improve transparency and accountability of the Defense Department procurement process.

For instance, congressional earmarks account for only 1 percent of the total funding of this bill. In addition, for the first time, this House-Senate agreement retains the requirement that has been included in every House-passed appropriations bill this year that requires any earmark for a private company to be competed.

I applaud the leadership of our side of the Capitol to institute this important new measure of accountability in the earmark process, and I hope that it will become a part of all final spending bills as we go forward.

I urge my colleagues to support this rule and the bill.

Ms. FOXX. Madam Speaker, I now would like to yield 3 minutes to another distinguished colleague from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentlewoman for yielding.

Madam Speaker, apparently the House is due to adjourn for the year today. Before it does, the House will apparently present the American people with a number of Christmas gifts wrapped up in one nice neat little package represented by this rule.

The first Christmas gift that the majority is giving the American people is the fifth, fifth increase in the debt ceiling since they took control of Congress, raising the debt ceiling an additional $290 billion, more debt to be placed upon the backs of our children and grandchildren.

The second gift for the American people at Christmas time is, guess what, yet another stimulus bill, this one weighing in at $150 billion. I lose track, Madam Speaker. I don't know if this is stimulus 4, stimulus 5. It's a little bit like those old ''Friday the 13th'' movies: it just doesn't go away.

The next gift, Madam Speaker, is kind of a recycled gift, one that they have given the American people all year and that is unemployment, double-digit unemployment under the economic policies of this administration, under this Democratic controlled Congress. They continue to give the American people double-digit unemployment.

The rule that is before us, Madam Speaker, allows for more of the same. I would hope, I would hope that one day, for the sake of the country, that my friends on the other side of the aisle will realize that you cannot spend your way into more jobs, you cannot borrow your way into more jobs, you cannot bail out your way into more jobs. That is not the recipe.

We suffer from double-digit unemployment, not through a lack of bailouts in spending and debt, which is the hallmark of this Congress. If we truly want to create jobs, Madam Speaker, the first thing we have to do is show the American people that we are serious about this sea of red ink. Nobody wants to launch a new business enterprise in an economy that is going to be socked with debt and taxes, impossible double-digit inflation as the debt has to be monetized.

The uncertainty and cost of a nationalized health care system, which is going to cost the American people their freedom, their opportunities—not to mention a trillion dollars. There is a $600 billion energy tax passed by the majority. Last week we just passed the Perpetual Wall Street Bailout and Credit Contraction Act of 2009.

Madam Speaker, where does it all end? If we want jobs, we have to reject the failed policies. This rule brings more of the same. Let's vote against the spending, against the debt, against the bailouts.

Ms. PINGREE of Maine. Madam Speaker, before I yield to one of my colleagues, I do want to mention one point of concern I have in the bill.

The conference agreement on H.R. 3326 is the first step towards cutting wasteful defense spending, but it is by no means perfect. It is no means the last step that we must take. The conference agreement provides $465 million for the development of an alternative engine for the F–35 Joint Strike Fighter. This provision represents businesses as usual in Washington for providing funds for an engine that's already being built and already being built well.

There is no need to devote our precious Federal dollars to a wasteful alternative engine program at this time when Americans are struggling to find jobs to pay their medical bills and to put food on the table. Every defense bill that we spend wisely contributes to our national security, and every defense dollar that we waste hampers our economic security.

Madam Speaker, I would like to yield 2 minutes to the gentleman from Illinois (Mr. HARE).

Mr. HARE. Madam Speaker, I rise in strong support of the rule and the underlying bill, the Jobs for Main Street Act.

First I would like to thank all the members of the Democratic leadership for their hard work in putting together a jobs bill, the Jobs for Main Street Act. It is an important step forward.

As we all know, since December of 2007, our Nation has faced the greatest economic crisis since the Great Depression. As a result, 15 million, or 10 percent, of our Americans are out of work. The Jobs for Main Street Act is an important first step in reemploying America and making our families more secure.

Specifically, I want to call attention to several principles that I have championed that have been included in this bill, such as extending the COBRA subsidy. This is a critical safety net for the millions of unemployed across this country, protecting and expanding our Nation's critical workforce with teachers, police and firefighters; putting people to work to improve and rehabilitate our Federal, State and local public lands.

I would also like to commend Chairman OBERSTAR for his leadership on the transportation and infrastructure portion of this bill. There is no better way to invest in our economy and create jobs than by investing in infrastructure.

For example, only 4 percent of the Recovery Act went to programs under the jurisdiction of Chairman OBERSTAR. However, that 4 percent for infrastructure has created 25 percent of the jobs under the Recovery Act. This is a testament to the effectiveness of investing in infrastructure. Over half of this bill is dedicated to investing in our roads, bridges, trails, transit systems, airports, and waterways.

Madam Speaker, I look forward to working with leadership to ensure that this Congress passes this bill and takes further action in the next session to put Americans back to work.

Ms. FOXX. Madam Speaker, I now would like to yield to a third colleague from Texas (Mr. CULBERSON), who has come to speak against this rule, one of the most fiscally conservative Members of the House, such time as he may consume.

Mr. CULBERSON. Madam Speaker, I want us to slow down for just a minute and think about what is happening here today. The House is scheduled to vote today on a package of four massive bills, spending over $1.1 trillion hard-earned tax dollars that will be paid for by additional debt that our children must repay.

□ 1200

Worst of all, these bills were only posted on the Internet last night for the American people to see at about 11 o'clock, so literally 13 hours for the public, for the taxpayers, for the Members of Congress to read these bills spending over $1.1 trillion. And I've scouted around, Madam Speaker, and the only copy of the bill before us, the Defense bill, that anybody can find is the one up there on the Clerk's desk.

These bills were put up on the Internet 13 hours ago. They're not even outside in the House lobby. And it's always tradition that at an absolute minimum that Members of Congress would be able to physically read the bill outside in the lobby. But this is all I found: this empty box outside in the lobby is all we have before us today. And $1.1 trillion spent in a little over 12 hours. Why the rush? Why are we rushing to do this? So Speaker PELOSI can catch a plane to Copenhagen.

We're spending $1.1 trillion on top of the $6.7 trillion that this liberal majority has already spent this year. That means in the course of 12 months, this liberal majority in Congress has already spent in this House nearly $8 trillion in 12 months. It's unprecedented. It is unsupportable. It will bankrupt this Nation and crush our children under a burden of debt that they cannot possibly repay without crushing tax burdens and massive sacrifices. We may be the first generation in American history that leaves our children worse off than the world we inherited from our parents. It's just unacceptable and outrageous.

My colleague Representative BRIAN BAIRD and I, Madam Speaker, introduced legislation earlier this year to require the House to lay these bills out, every bill, for at least 72 hours before they can be voted on on the floor.

And I just would ask the Speaker a simple question: what's more important, giving the American people time to read these bills, to give the Members of Congress time to read these bills, or to catch an airplane to a global warming conference? That's really what's going on here today.

I would ask Speaker PELOSI in all sincerity, Madam Speaker, please cancel your flight. Give the American people time to read these spending bills.

It's time to stop forcing Congress to vote blind.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Ms. PINGREE of Maine. Madam Speaker, I yield 2 minutes to the gentleman from Washington (Mr. DICKS), a member of the Committee on Appropriations.

Mr. DICKS. I wanted to discuss a change that was made this year in the appropriations process, and I just want to read it into the RECORD to correct something that was said previously.

''Each congressionally directed spending item specified in this Act''—this is the defense bill—''or the explanatory statement regarding this Act that is also identified in Senate report 111–74 and intended for award to a for-profit entity shall be subject to acquisition regulations for full and open competition on the same basis as each spending item intended for a for-profit entity that is contained in the budget request of the President.

''Exceptions: Subsection (a) shall not apply to any contract awarded, (1), by a means that is required by Federal statute, including for a purchase made under a mandated preferential program; (2), pursuant to the Small Business Act (15 U.S.C. 631 et seq.); or (3), in an amount less than the simplified acquisition threshold described in section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a)).

''Any congressionally directed spending item specified in this Act or the explanatory statement regarding this Act that is intended for award to a for-profit entity and is not covered by the competition requirement specified in subsection (a), shall be awarded under full and open competition, except that any contract previously awarded under full and open competition that remains in effect during fiscal year 2010 shall be considered to have satisfied the conditions of full and open competition.

''In this section, the term 'congressionally directed spending item' means the following:

''A congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; a congressional earmark for purposes of rule XXI of the House of Representatives.''

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. PINGREE of Maine. I yield the gentleman an additional 30 seconds.

Mr. DICKS. I think this clarifies the statement that was made previously by the gentleman from Arizona.

Ms. FOXX. Madam Speaker, the West continues to be well-represented here. I now yield 3 minutes to our colleague from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentlewoman for yielding.

I had hoped that the gentleman would rise and explain what he just explained.

Now, I will gladly yield to him to explain why this would only apply to earmarks by House Members alone and why the competition requirements don't apply to earmarks that are jointly requested by a House and Senate Member. If we're hanging our hat on language that requires that these earmarks be subject to competition, then surely we would extend it to anything that had our name on it, but we're not.

My understanding is that the language only applies to those earmarks that are requested solely by a House Member, and that if you have a Senate Member on your earmark request, then it is not subject to competition. The language just explained does not apply to it. So you can't have it both ways.

Now, I will argue that it doesn't matter anyway, because right now if you talk to the Department of Defense, and I have, we've held meetings in my office with the procurement officials, and we've asked them, How does this work when these earmarks come over? Are they subject to competition? They said, Yes, we follow the rules. Yet when you ask them to do a cursory examination or a full-fledged examination of those earmarks that were requested in prior years, you will find an uncanny alignment, as you might expect, between the intended recipient and those who actually got the earmarks in the end.

So you can say until you're blue in the face we're going to subject these to full and open competition. The Department of Defense already says that. And these articles that I already talked about, these scandals that are currently underway are under a policy where the Department of Defense already says we subject these to full and open competition. But let me tell you, if an earmark comes over from a Member of Congress, particularly from those on the Appropriations Committee—and I should explain that the majority of these earmarks, a disproportionate number, are from the powerful Members on the Appropriations Committee—believe me, those procurement officials at the Department of Defense take that into account. They know who butters their bread, and they know that they'd better award this contract to the intended recipient or they might not get funded the next year. If that's not the case, why have we seen so much an uncanny alignment between the intended recipient and those who actually got the earmark in the first place?

So, first, again let me say if we're hanging our hat on the language that says these are subject to competition, then why wouldn't we apply it to every earmark that is contained in this bill? It doesn't apply to Senate earmarks, nor does it apply to earmarks requested by both Senate and House Members. So are we saying, well, we're going to subject some to competition and that means something, but these others, yes, it's okay if there are no-bid contracts? That simply doesn't work.

Ms. PINGREE of Maine. Madam Speaker, I yield 1 minute to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Again I want to just say this is an initiative that Mr. OBEY put into place this year. This is the first year we've had this initiative. And what it says is that if an earmark is directed to a for-profit company, there must be full and open competition. This was extended to the United States Senate as well.

So, again, the gentleman from Arizona misleads the House of Representatives on a very important and a very sensitive matter.

There ought to be competition on these things, and I thought the gentleman would recognize how important it was and compliment Mr. OBEY for his initiative, but I don't hear that.

Ms. FOXX. Madam Speaker, having a charge of misspeaking is very serious. I would like, therefore, to yield such time as he may consume to the gentleman from Arizona (Mr. FLAKE) to speak again on the rule.

Mr. FLAKE. I thank the gentlewoman for her indulgence here.

This is important, and I would ask the gentleman and would yield to him to respond, is it your understanding, then, that this language, this new competition language, applies to Senate earmarks as well as earmarks requested by both House and Senate Members?

Mr. DICKS. It is my understanding that the language that came out of conference applies both to the House and Senate earmarks for for-profit companies requiring competition. There are some little variations because of Section 8(a) and other restrictions that the Senate still claims that should be followed, but this is a major step forward, and I think Mr. OBEY deserves great credit for this. So I just want to clear this up, that on district directed for-profit companies there is full and open competition.

Mr. FLAKE. I thank the gentleman. Let me simply say if that is the case, that is in conflict with the agreement that we understand to be in effect.

The agreement we understand to be in effect and what I was told is that only those earmarks that are requested solely by a House Member has the language that applies to competition. If it is an earmark requested by both a House and a Senate Member, then it does not apply this year, and supposedly it will next year, although obviously there are no guarantees. We can't bind a future session. And that if it is a Senate earmark, they didn't agree to this at all. That's what we understand. If there is some difference there, then please let's have the chairman of the Appropriations Committee explain it.

But, again, the question here is if that language is so important, then why wouldn't we apply it across the board?

And doesn't it strike everybody a little bit funny that you have an earmark that, when a Member requests it from the Appropriations Committee, they say this earmark of this amount, $500,000, $2 million, $2.5 million, whatever, is to go to this company at this address? It's that specific. It goes to that company at that address.

Now, the Appropriations Committee will say we're just providing a look-see, and so the Department of Defense can say, well, we didn't know that that company existed but now we do, and we're doing nothing more than simply giving them a look-see and giving them a chance to see which companies those are. I think that doesn't quite pass the laugh test.

Mr. DICKS. Will the gentleman yield?

Mr. FLAKE. Yes, I will.

Mr. DICKS. I think the gentleman is trying to confuse himself.

Clearly what we're talking about here is that there has been a decision to have full and open competitions. The gentleman has been an advocate for that. It doesn't matter how it's written in. The law says ''full and open competition.'' So please don't try to confuse yourself and the House and the American people. This is a reform that you've been advocating for. You ought to be saying thank you for doing it, and it's the right thing to do. But you'd rather have the issue than to resolve something.

Mr. FLAKE. I thank the gentleman for explaining my motives.

But in truth what I would like to see is no more earmarks in the defense bill because when you have an earmark, you don't have full and open competition. What I'm talking about is I would not like to see no-bid contracts for private companies in the defense bill. When you have that, I don't know how in the world you can say we have full and open competition.

Like I say, I don't believe that that language means much at all, but to the extent that you believe it does mean something, then at least you should apply it across the board, not just to earmarks sought by Members of the House solely but those earmarks that are requested by Senate Members as well. How can we say with a straight face that, hey, we're doing things right because we're applying that competition language to us, but all you have to do is to get a Senate Member to request it along with you and then you don't have to subject it to full and open competition. It simply doesn't make sense, Madam Speaker.

I thank the gentlewoman for her indulgence and I appreciate this discussion.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to direct their remarks to the Chair.

Ms. PINGREE of Maine. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

□ 1215

Ms. JACKSON-LEE of Texas. Let me thank the distinguished gentlelady from Maine.

Madam Speaker, I wish to start by wishing America a very Merry Christmas, and to many other Americans, a happy holiday. And I'd like to give my thanks to the Rules Committee and the staff of the Rules Committee for doing an enormous job. Our chairwoman, LOUISE SLAUGHTER, has been at the forefront of the major successes we have had on behalf of the American people. I offer my appreciation as well for Chairman JOHN MURTHA, who, in his astuteness and commitment to the men and women of the United States military, finds many of us today supporting the Defense appropriations bill, even as we begin to consider the next steps in Afghanistan.

But why am I standing here today to be able to speak to my colleagues and the American people? One, because history gets distorted. We are in this predicament because the last administration of Republican leadership took away our surplus that had been created in the 1990s. They dashed and dashed and destroyed and devastated. Isn't it interesting that you'd come now to complain about a leadership, President and Democratic leadership in Congress, that have had to make the political sacrifice to ensure that Americans can work?

And so let me just set the record straight. The American Recovery and Reinvestment Act—that secured no Republican votes—created 3.5 million jobs and gave 95 percent of American workers a tax cut. And today, as we speak, we are cutting the job loss every single month. Why I'm standing here today is because I'm enthusiastically supporting this rule, because we will then pass a jobs bill, and I will be able to go home to those in the 18th Congressional District who told me over the Thanksgiving holiday as I was participating in feeding those on Thanksgiving Day, I lost my job from a major corporation. Well, I'm going to tell them that because of infrastructure funding, $48 billion, in fact, that we will be able to invest in highways and mass transit. One billion dollars in Federal investments to highways creates 27,800 jobs. Is there something wrong with that? The wrongness of it is that the other side is not thinking about the American people, and has not had a good thought about how to invest in America.

This jobs bill is going to keep States from cutting teachers and police and firefighters, and it's going to provide job training. I am proud that they have taken my ideas and many of our ideas, but work that I have done on summer youth jobs. They're going to put 150,000 people in job training positions. One of the ideas that can be incorporated that I have put forward in a bill is to make sure that people can keep their unemployment while they are in a job training and receive a stipend. Dignity, jobs, is what we're talking about.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. PINGREE of Maine. I yield the gentlewoman 15 additional seconds.

Ms. JACKSON-LEE of Texas. And then, my small business friends, once and for all we'll answer your question about getting loans. But the big thing is, Riverside General Hospital, because of the astuteness of those who worked on the Defense bill, will get $1 million for the first time, an African American hospital, to help our soldiers with post-traumatic stress disorder. I have worked on this for 4 years. It's a celebration. Merry Christmas to America.

Ms. FOXX. Madam Speaker, I want to say thank you to our colleague from Arizona for his very valuable input on the issue of earmarks, and say that I join him in opposing all earmarks in any of our bills until we fix this broken system. And I think what we need is a study of how these specific earmarks then get awarded, since there seems to be open competition. And I would welcome the majority to institute such a study and just see how open the competition is.

I now yield 3 minutes to my colleague from Iowa (Mr. KING).

Mr. KING of Iowa. Madam Speaker, before I take up the subject that I came here to talk about, I can't help but remark that the gentlelady from Texas said that the people on our side had not had a good thought about how to invest in America. Not a good thought. I would submit that the good thoughts are right there on the immigration naturalization flash cards. What is the economic system of America? Flip the card over, and if you want to be naturalized as a citizen, you need to answer the question this way. Free enterprise capitalism.

Free enterprise capitalism has been the enemy of this administration. Tim Geithner said that free enterprise capitalism is what brought us to the brink of ruin. Can you imagine tearing asunder the very foundation, one of the principal pillars of American exceptionalism, and arguing that those that have stood up and defended it and refurbished it somehow hadn't had a good thought about America.

I would ask again, why do we need African American hospitals? Why can't we have hospitals that take care of God's children? Why can't we all be members of the human race? Why is there any legislation that's brought into this Congress that sets aside special privileges for people based upon their skin color rather than the content of their character? I think that this is the wrong path. We've got to embrace each other as individuals. This wallowing in self-guilt has gone on and on, Madam Speaker.

We had a President—Clinton—that went and apologized to entire continents. Now we have a President Obama that has apologized to entire continents as well for Americanism. In this bill, on page 109 of the bill, we have another apology, an apology from Congress. First, it's got some good things in there. It talks about Native Americans. It recognizes the special legal and political relationship that Indian tribes have in the United States. That's good. It commends the Native Peoples for the thousands of years they have stewarded and protected this land. Part of that's real good. Part of that record's not real good. This doesn't say so. In fact, the third piece says it recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes. That's true. There's also another side to that thing that isn't negative.

And now it says, on page 109 of the bill, we, as Congress, ask the President—the United States, acting through Congress, actually—to apologize on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States; as if there were no guilt on the other side.

Madam Speaker, I would direct the attention of this body to the Declaration of Independence. And there, on paragraph 29 of 32, as I count them, it says, and I'm going to stop short of violating the political correctness, but I am going to read directly from the Declaration of Independence.

He has excited domestic insurrections among us—speaking of King George—and has endeavored to bring on the inhabitants of our frontiers, and there I stop and commend the text of the Declaration of Independence which apparently violates this bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KING of Iowa. I urge the rejection of this rule for this and many other reasons.

Ms. PINGREE of Maine. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Madam Speaker, I rise today in support of the rule and the underlying bill, H.R. 2847, the Jobs for Main Street Act.

As a member of the Transportation and Infrastructure Committee and chairman of the Coast Guard and Maritime Transportation Subcommittee, I've seen hundreds of thousands of jobs created through infrastructure funding. I've seen improvements created by that funding slow the recession and help begin our recovery. However, that recovery is simply not complete. We still have far too many Americans without jobs.

The COBRA, unemployment and food stamp extensions in this bill are crucial to help those who are in need or who have lost a job through no fault of their own. These small lifelines can be immense to those who are suffering. For some Americans who still face foreclosure, this funding can help keep them in their homes so that the loss of their job does not result in the further devastation of an entire family.

Finally, the jobs we create through our work today must be open to all Americans, including the minority communities who are being particularly decimated by unemployment, foreclosure and a crisis of credit.

Before we passed the Recovery Act, I requested bonding assistance, allowing small and disadvantaged businesses to obtain the insurance they needed to win contracts to become prime contractors and to hire workers. The bonding assistance program created in that act led to much-needed jobs in minority communities, and so I requested further such assistance in this act. The $20 million included in this bill today will ensure that jobs created will be available to every American and every business in every community so they can compete on an even playing field.

I support fair competition for government projects and the jobs that they will create. I encourage all my colleagues to support the underlying bill and the rule that will bring this matter to the floor.

Ms. FOXX. Madam Speaker, you know, I'm sitting here listening to the crocodile tears, particularly of my colleague from Maine who spoke earlier about the many people in her district who want to have jobs. And it is the very policies that she and her party have passed in this session of Congress that have caused those people to lose their jobs. What we need to do is let the American people keep their money. Their money. It is not the government's money. It is the hard-earned money of those who work in this country.

And let me point out, even President Obama has said, and I'm going to quote, November 18, 2009: It is important, though, to recognize if we keep on adding to the debt, even in the midst of this recovery, that at some point people could lose confidence in the U.S. economy in a way that can actually lead to a double dip recession.

But what are we doing today? Adding to the debt, with the support of the President. Do they think the American people are not paying attention? To the contrary, more than ever, the American people are paying attention to what's going on in this Congress, and they have spoken in many, many ways. They have spoken through the polls, they have spoken through election polls in terms of where they're voting, and they're telling us every day this is not what they want this Congress to be doing.

They also are aware of the fact that this Congress is breaking every promise that it made before the majority was elected. And I want to say, with apologies to Elizabeth Barrett Browning and her sonnet No. 43, how many ways can we count the promises that have been broken? Many, many ways. Too many ways to talk about today.

But let me give some examples—one from Majority Leader HOYER:

''I think that is a very important pursuit. Our committees and Members are served on both sides of the aisle by pursuing regular order. Regular order gives to everybody the opportunity to participate in the process in a fashion which will effect, in my opinion, the most consensus and best product.''

Again, a letter to Majority Leader HOYER from members of the Democrat Blue Dog and New Democratic Caucuses which said:

''Committees must function thoroughly and inclusively, and cooperation must ensue between the parties and the Houses to ensure that our legislative tactics enable rather than impede progress. In general, we must engender an atmosphere that allows partisan games to cease and collaboration to succeed. We look forward to working with you to restore this institution.''

And what are we getting? Just the opposite. Even Speaker PELOSI endorsed the idea of regular order with her spokesperson stating at the time:

''The Speaker prefers to consider legislation in regular order and the committees of jurisdiction held hearings and markups on the current economic recovery bill. In a few cases, because of urgent financial crises, the leadership agreed to use expedited procedures.''

Lest we forget, promises Democrats made in their 2006 document entitled A New Direction for America, which promised that:

''Bills should be developed following full hearings and open subcommittee and committee markups with appropriate referrals to other committees. Members should have at least 24 hours to examine a bill prior to consideration at the subcommittee level.''

And we've pointed out it's barely been 12 hours since this bill, the bill underlying this rule, was presented.

''Bills should generally come to the floor under a procedure that allows open, full and fair debate, consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.''

As Mr. DREIER pointed out earlier, this is the first Congress in the history of this country that has not allowed that.

□ 1230

''Members should have at least 24 hours to examine bill and conference report text prior to floor consideration. Rules governing for debate must be reported before 10 p.m. for a bill to be considered the following day.''

We can go on and on and on about promises broken. The President said bills would be available for 72 hours. The President promised he would post bills 5 days before signing them. He said he would read every bill line for line, and he said there would be no earmarks. He would veto bills with earmarks.

This is a bill with 1,700 earmarks. Is he going to veto the bill? I doubt it.

So here we have one promise after another that's broken. How can the American people believe anything that is said by the other side after this?

Again, they're paying attention. I know they're paying attention, and I believe that there will be consequences to the fact that these promises have been broken.

Madam Speaker, I will enter into the RECORD a letter written by Republicans, 173 of us, to Speaker PELOSI on December 11, 2009, asking that we not continue this practice.

WASHINGTON, DC,
December 11, 2009.

Hon. NANCY PELOSI,
Speaker of the House, The Capitol, Washington, DC.

DEAR MADAM SPEAKER: We write today to express our strong opposition to reports that the Democrat Majority is considering attaching unrelated and extremely controversial proposals, such as an increase in the public debt limit, to the Fiscal Year 2010 Defense Appropriations bill. We object to maneuvers to use our troops as leverage to enact proposals that the Majority either cannot pass on their own or for which they wish to avoid directly voting on and we will oppose a Defense Appropriations package that includes such provisions.

Unfortunately, there seems to be a pattern developing this year of using legislation that supports our men and women in uniform to pass other contentious proposals that are extraneous to our troops. We should supply those who risk their lives for our country with the resources they need without conditions and without using them to accomplish other legislative goals. House Republicans stand ready to help the Majority enact a defense bill that meets the needs of our troops, but we will not assist your effort to use the troops to enact an increase in our national debt limit so as to finance the irresponsible spending policies of your party.

With that, I reserve the balance of my time.

Ms. PINGREE of Maine. Madam Speaker, I rise to discuss at least one thing my colleague and friend from North Carolina mentioned. I'm a Northerner, so I can't claim to be an expert on crocodiles, but I assume that when you're talking about crocodile tears, you're talking about being insincere, and I want to say I receive letters from my constituents every day about the urgency of what we are doing today. And I have to say that like it or not, I cannot get through the pile of letters without crying tears for real. It's very, very difficult to think about the small businesses, laid-off individuals, individuals worrying about their jobs, what they're going through in my district and the urgency with which they view the actions that we are about to take today and the importance of moving on from this rule and getting to the actual debate.

I want to read one of them that is in front of me here before I yield a little time to my colleague from California.

This one says: ''My housemate and I were both laid off, me in September 08 and she in February 09. We have applied diligently for work in and around Portland with no luck. We had to cash in our meager 401(k)'s, and have been very thankful for the COBRA subsidy so that we could afford insurance during this most harsh of times. But our money is running out fast.

''As you know, the subsidy is about to expire, and we cannot afford the huge jump in premium. We cannot afford both the mortgage and the insurance. We cannot afford our prescriptions, and our health care will be at stake, as if things weren't bad enough. We will lose our home.

''PLEASE help push through the COBRA extension and continuation of the ARRA COBRA subsidy. It is an immediate fix for so many families who will surely gain employment over the next 6 months now that the economy has finally taken an upswing.''

Madam Speaker, those are the things that make us all cry real tears and make us want to pass this rule and go on to passing this legislation today.

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Madam Speaker, I just heard a fine exposition on promises. There is one promise that overrides all of the others, and that's the promise that I think each one of us made to our constituents to do everything that we possibly could to see that they were well cared for and that this government was acting on their behalf. If we are simply looking at a rule and whether it's going to be applied and that becomes the most important promise of all, then we are forgetting about the well-being of Americans, of whom there are 35 million unemployed, of whom there are, in my district, tens of thousands, more than one out of eight either unemployed or underemployed. My promise to those people is that I will do everything I possibly can to see that they have a job.

This rule allows us to get to that. It allows us to get to the point of providing a jobs program that's going to provide at least $35 billion for highways and transit, that's going to provide some 500,000 young men and women the opportunity to have summer jobs, to expand AmeriCorps so that people can provide services and employment.

It's also going to take care of those who are unemployed, who, for no reason of their own, have found themselves out of a job. It's time for us to stand for them, and it's, frankly, time for us to move away from the notion of just providing those unemployment benefits to providing a job.

Far better that there be taxpayers than tax receivers. That's what this is about. It gives us an opportunity to do that, and we will do everything we possibly can on our side of the aisle to make the fundamental promise of making sure that the Federal Government is doing everything it possibly can to provide jobs and opportunities for businesses, for employment, and for taxpayers to actually have a job so they can pay taxes.

Ms. FOXX. Madam Speaker, I would just like to point out it's not the role of Federal Government to provide jobs. It's not our job to take money from some and give to others, to try to make them dependent on the government.

I urge my colleagues, Madam Speaker, to defeat the previous question so an amendment can be added to the rule. The amendment to the rule will provide for separate consideration of House Resolution 554, a resolution to require that legislation and conference reports be posted on the Internet for 72 hours prior to consideration by the House, and does not affect the bill made in order by the rule.

I will insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question, and I ask my colleagues to vote ''no'' on the previous question and the rule.

I yield back the balance of my time.

Ms. PINGREE of Maine. Madam Speaker, the legislation we are considering today is about investing in jobs. It is about investing in infrastructure, and it is about rebalancing our economy. So it's not just the big banks and Wall Street firms that benefit from an economic recovery. This bill is about helping the American family.

This week, a New York Times/CBS News poll surveyed unemployed Americans. Not surprisingly, they found that being unemployed takes a toll far beyond what can be measured in dollars and cents. Half of the people surveyed said they had begun to suffer from depression and anxiety, half said the recession has caused them to make major life changes, and nearly half said they have seen changes in their children's behavior that they know is a result of their difficult financial situation.

We are not just helping men and women who've lost their job, who have suffered from uncertainty, emotional pain, and indignation, but we are helping their families. We are helping their children. It is time for us to invest in the jobs and policies that will get the American Dream back on track and restore the promise of opportunity and prosperity for everyone.

I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Ms. FOXX is as follows:

AMENDMENT TO H. RES. 976

OFFERED BY MS. FOXX

At the end of the resolution, insert the following new section:

SEC. 32. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (II. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. PINGREE of Maine. I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of H. Res. 976, if ordered, and suspension of the rules with regard to H. Res. 905.

The vote was taken by electronic device, and there were—yeas 235, nays 193, not voting 6, as follows:

[Roll No. 982]

YEAS—235

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—193

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Dahlkemper
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Himes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Cardoza
Larson (CT)
Murphy, Patrick
Radanovich
Speier
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1303

Mr. JONES changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 982, I was unavoidably detained and missed the vote. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. FOXX. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 201, not voting 5, as follows:

[Roll No. 983]

AYES—228

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)

Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stupak
Sutton
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Yarmuth

NOES—201

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Dahlkemper
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Himes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stark
Stearns
Tanner
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—5

Cardoza
Larson (CT)
Radanovich
Speier
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1311

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 983, I was unavoidably detained and unfortunately missed the vote. Had I been present, I would have voted "aye."

RECOGNIZING 70TH ANNIVERSARY OF RETIREMENT OF JUSTICE LOUIS D. BRANDEIS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 905, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 905.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 1, not voting 10, as follows:

[Roll No. 984]

YEAS—423

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp

Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—1

Young (AK)

NOT VOTING—10

Boehner
Cardoza
Conyers
Kirk
Larson (CT)
McMahon
Pastor (AZ)
Radanovich
Rohrabacher
Speier

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1317

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 984, I was unavoidably detained and most unfortunately, missed the vote. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. RADANOVICH. Madam Speaker, I was unable to make today's votes on the House floor due to a family illness. Had I been present I would have voted as follows:

"Nay" on rollcall vote No. 982, on ordering the previous question on the rule providing consideration for H.R. 3326, H.J. Res. 64, H.R. 4314, and H.R. 2847.

"No" on rollcall vote No. 983, on the adoption of H. Res. 976, the rule for consideration for H.R. 3326, H.J. Res. 64, H.R. 4314, and H.R. 2847.

"Yea" on rollcall vote No. 984, on the motion to suspend the rules and agree to H. Res. 905, recognizing the 70th anniversary of the retirement of Justice Louis D. Brandeis from the United States Supreme Court.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

Mr. MURTHA. Madam Speaker, pursuant to House Resolution 976, I call up the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,267,448,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $25,440,472,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,883,790,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $26,378,761,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,286,656,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,905,166,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $611,500,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,584,712,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,535,088,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,923,599,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $30,667,886,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the

Navy and the Marine Corps, as authorized by law; and not to exceed $14,657,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $34,773,497,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,435,923,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $33,739,447,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $28,205,050,000: Provided, That not more than $50,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than $29,732,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That $6,667,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,582,624,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,272,501,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $219,425,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,085,700,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $5,989,034,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $5,857,011,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,932,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $430,864,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $285,869,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $494,276,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,100,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $307,700,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $109,869,000, to remain available until September 30, 2011.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $424,093,000, to remain available until September 30, 2012: Provided, That of the amounts provided under this heading, not less than $15,000,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East and North.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $100,000,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,244,252,000, to remain available for obligation until September 30, 2012.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,257,053,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,310,007,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,049,995,000, to remain available for obligation until September 30, 2012.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; and the purchase of eight vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $9,395,444,000, to remain available for obligation until September 30, 2012.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $18,079,312,000, to remain available for obligation until September 30, 2012.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,446,419,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $814,015,000, to remain available for obligation until September 30, 2012.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $739,269,000;

Carrier Replacement Program (AP), $484,432,000;

NSSN, $1,964,317,000;

NSSN (AP), $1,959,725,000;

CVN Refueling, $1,563,602,000;

CVN Refuelings (AP), $211,820,000;

DDG–1000 Program, $1,393,797,000;

DDG–51 Destroyer, $3,650,000,000;

DDG–51 Destroyer (AP), $328,996,000;

Littoral Combat Ship, $1,080,000,000;

LPD–17, $872,392,000;

LPD–17 (AP), $184,555,000;

LHA–R (AP), $170,000,000;

Intratheater Connector, $177,956,000;

LCAC Service Life Extension Program, $63,857,000;

Prior year shipbuilding costs, $144,950,000;

Service Craft, $3,694,000; and

For outfitting, post delivery, conversions, and first destination transportation, $391,238,000.

In all: $15,384,600,000, to remain available for obligation until September 30, 2014: Provided, That additional obligations may be incurred after September 30, 2014, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval

vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of seven vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,499,413,000, to remain available for obligation until September 30, 2012.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,550,080,000, to remain available for obligation until September 30, 2012.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $13,148,720,000, to remain available for obligation until September 30, 2012.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $6,070,344,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $815,246,000, to remain available for obligation until September 30, 2012.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of two vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,283,800,000, to remain available for obligation until September 30, 2012.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,017,697,000, to remain available for obligation until September 30, 2012.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, $1,500,000,000, to remain available for obligation until September 30, 2012: Provided, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $149,746,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $10,653,126,000, to remain available for obligation until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $19,148,509,000, to remain available for obligation until September 30, 2011: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $28,049,015,000, to remain available for obligation until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,408,968,000, to remain available for obligation until September 30, 2011, of which $2,500,000 shall be available only for the Missile Defense Agency to construct a replacement Patriot launcher pad for the Japanese Ministry of Defense.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $190,770,000, to remain available for obligation until September 30, 2011.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,455,004,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,242,758,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and

the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $28,311,113,000; of which $26,990,219,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2011, and of which up to $15,093,539,000 may be available for contracts entered into under the TRICARE program; of which $322,142,000, to remain available for obligation until September 30, 2012, shall be for procurement; and of which $998,752,000, to remain available for obligation until September 30, 2011, shall be for research, development, test and evaluation.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,539,869,000, of which $1,125,911,000 shall be for operation and maintenance, of which no less than $84,839,000, shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $34,905,000 for activities on military installations and $49,934,000, to remain available until September 30, 2011, to assist State and local governments; $12,689,000 shall be for procurement, to remain available until September 30, 2012, of which no less than $12,689,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $401,269,000, to remain available until September 30, 2011, shall be for research, development, test and evaluation, of which $398,669,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,103,086,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $288,100,000, of which $287,100,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2012, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $290,900,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $750,812,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section must be made prior to June 30, 2010: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: Provided further, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8006. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8007. The Secretaries of the Air Force and the Army are authorized, using funds available under the headings ''Operation and Maintenance, Air Force'' and ''Operation and Maintenance, Army'', to complete facility conversions and phased repair projects which may include upgrades and additions to Alaskan range infrastructure and training areas, and improved access to these ranges.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2010, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2011 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2011.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8017. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols.

SEC. 8019. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated

only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 30 months after initiation of such study for a multi-function activity.

SEC. 8023. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8024. (a) Of the funds made available in this Act, not less than $25,756,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $22,433,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $2,426,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $897,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8025. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2010 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2010, not more than 5,600 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,100 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2011 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $120,200,000.

SEC. 8026. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8027. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8028. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8029. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2010. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8031. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, and Minnesota relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, and Minnesota.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8032. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital

Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2011 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2011 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8034. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2011: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2011.

SEC. 8035. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8036. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8037. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8038. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8039. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Research, Development, Test and Evaluation, Air Force, 2009/2010'', $110,230,000;

''Research, Development, Test and Evaluation, Defense-Wide, 2009/2010'', $199,750,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2009/2011'', $41,087,000;

''Other Procurement, Army, 2009/2011'', $138,239,000;

''Aircraft Procurement, Air Force, 2009/2011'', $628,900,000;

''Missile Procurement, Air Force, 2009/2011'', $147,595,000;

''Other Procurement, Air Force, 2009/2011'', $5,000,000;

''Procurement, Defense-Wide, 2009/2011'', $5,200,000; and

''Procurement, Defense-Wide, 2008/2010'', $2,000,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction

of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following—

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. (a) IN GENERAL.—Service as a member of the Alaska Territorial Guard during World War II of any individual who was honorably discharged therefrom under section 8147 of the Department of Defense Appropriations Act, 2001 (Public Law 106–259; 114 Stat. 705) shall be treated as active service for purposes of the computation under chapter 61, 71, 371, 571, 871, or 1223 of title 10, United States Code, as applicable, of the retired pay to which such individual may be entitled under title 10, United States Code.

(b) APPLICABILITY.—Subsection (a) shall apply with respect to amounts of retired pay payable under title 10, United States Code, for months beginning on or after the date of the enactment of this Act. No retired pay shall be paid to any individual by reason of subsection (a) for any period before that date.

(c) WORLD WAR II DEFINED.—In this section, the term ''World War II'' has the meaning given that term in section 101(8) of title 38, United States Code.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: Provided, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8059. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8060. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8061. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8062. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8063. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8064. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8065. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary-tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8066. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8067. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8068. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $106,754,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8070. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2010.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $202,434,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, $80,092,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, $50,036,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $72,306,000 shall be for the Arrow Missile Defense Program, of which $25,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $144,950,000 shall be available until September 30, 2010, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred:

To:

Under the heading ''Shipbuilding and Conversion, Navy, 2004/2010'':

New SSN, $26,906,000; and

LPD–17 Amphibious Transport Dock Program, $16,844,000.

Under the heading ''Shipbuilding and Conversion, Navy, 2005/2010'':

New SSN, $18,702,000; and

LPD–17 Amphibious Transport Dock Program, $16,498,000.

Under the heading ''Shipbuilding and Conversion, Navy, 2008/2012'':

LPD–17 Amphibious Transport Dock Program, $66,000,000.

SEC. 8073. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8074. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8075. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for Fiscal Year 2010.

SEC. 8076. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8077. In addition to funds made available elsewhere in this Act, $5,500,000 is hereby appropriated and shall remain available until expended to provide assistance, by grant or otherwise (such as the provision of funds for information technology and textbook purchases, professional development for educators, and student transition support) to public schools in states that are considered overseas assignments with unusually high concentrations of special needs military dependents enrolled: Provided, That up to 2 percent of the total appropriated funds under this section shall be available for the administration and execution of the programs and/or events that promote the purpose of this appropriation: Provided further, That up to 5 percent of the total appropriated funds under this section shall be available to public schools that have entered into a military partnership: Provided further, That $1,000,000 shall be available for a nonprofit trust fund to assist in the public-private funding of public school repair and maintenance projects: Provided further, That $500,000 shall be available to fund an ongoing special education support program in public schools with unusually high concentrations of active duty military dependents enrolled: Provided further, That to the extent a Federal agency provides this assistance by contract, grant, or otherwise, it may accept and expend non-Federal funds in combination with these Federal funds to provide assistance for the authorized purpose.

SEC. 8078. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $50,500,000 is hereby appropriated to the Department of Defense: Provided, That the

Secretary of Defense shall make grants in the amounts specified as follows: $20,000,000 to the Edward M. Kennedy Institute for the Senate; $5,500,000 to the U.S.S. Missouri Memorial Association; and $25,000,000 to the National World War II Museum.

SEC. 8079. The budget of the President for fiscal year 2011 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8080. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8081. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8082. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8083. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8084. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8085. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8086. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8087. Of the funds provided in this Act, $10,000,000 shall be available for the operations and development of training and technology for the Joint Interagency Training and Education Center and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agencies, and State and local first responder personnel at the Joint Interagency Training and Education Center.

SEC. 8088. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8089. Up to $16,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8090. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2011.

SEC. 8091. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions, the total amount appropriated in title II of this Act is hereby reduced by $194,000,000, the total amount appropriated in title III of this Act is hereby reduced by $322,000,000, the total amount appropriated in title IV of this Act is hereby reduced by $336,000,000, and the total amount appropriated in title V of this Act is hereby reduced by $9,000,000: Provided, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.

SEC. 8092. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8093. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8094. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books.

(1) For procurement programs requesting more than $20,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40 Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $10,000,000 in any fiscal year, the R–1, RDT&E Program; R–2, RDT&E Budget Item Justification; R–3, RDT&E Project Cost Analysis; and R–4, RDT&E Program Schedule Profile.

SEC. 8095. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 8096. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8097. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8098. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8099. The Department of Defense shall continue to report incremental contingency operations costs for Operation Iraqi Freedom and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

SEC. 8100. The amounts appropriated in title II of this Act are hereby reduced by $500,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows:

From ''Operation and Maintenance, Air Force'', $500,000,000.

SEC. 8101. During the current fiscal year, not to exceed $10,000,000 from each of the appropriations made in title III of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

SEC. 8102. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: Provided, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: Provided further, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8103. Funds appropriated by this Act for operation and maintenance shall be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8104. (a) REPORT ON GROUND-BASED INTERCEPTOR MISSILES.—Not later than 60 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the utilization of funds to maintain the production line of Ground-Based Interceptor (GBI) missiles. The report shall include a plan for the utilization of funds for Ground-Based Interceptor missiles made available by this Act for the Midcourse Defense Segment, including—

(1) the number of Ground-based Interceptor missiles proposed to be produced during fiscal year 2010; and

(2) any plans for maintaining production of such missiles and the subsystems and components of such missiles.

(b) REPORT ON GROUND-BASED MIDCOURSE DEFENSE SYSTEM.—Not later than 120 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report setting forth the acquisition strategy for the Ground-Based Midcourse Defense (GMD) system during fiscal years 2011 through 2016. The report shall include a description of the plans of the Missile Defense Agency for each of the following:

(1) To maintain the capability for production of Ground-Based Interceptor missiles.

(2) To address modernization and obsolescence of the Ground-Based Midcourse Defense system.

(3) To conduct a robust test program for the Ground-Based Midcourse Defense system.

SEC. 8105. (a) HIGH PRIORITY NATIONAL GUARD COUNTERDRUG PROGRAMS.—Of the amount appropriated or otherwise made available by title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE'', up to $30,000,000 shall be available for the purpose of High Priority National Guard Counterdrug Programs.

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the purpose specified in that subsection is in addition to any other amounts made available by this Act for that purpose.

APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES

SEC. 8106. (a) ACKNOWLEDGMENT AND APOLOGY.—The United States, acting through Congress—

(1) recognizes the special legal and political relationship Indian tribes have with the United States and the solemn covenant with the land we share;

(2) commends and honors Native Peoples for the thousands of years that they have stewarded and protected this land;

(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes;

(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;

(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;

(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land; and

(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.

(b) DISCLAIMER.—Nothing in this section—

(1) authorizes or supports any claim against the United States; or

(2) serves as a settlement of any claim against the United States.

SEC. 8107. (a) REPORT ON USE OF LIVE PRIMATES IN TRAINING RELATING TO CHEMICAL AND BIOLOGICAL AGENTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a detailed description of the requirements for the use by the Department of Defense of live primates at the United States Army Medical Research Institute of Chemical Defense, and elsewhere, to demonstrate the effects of chemical or biological agents or chemical (such as physostigmine) or biological agent simulants in training programs.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The number of live primates used in the training described in subsection (a).

(2) The average lifespan of primates from the point of introduction into such training programs.

(3) An explanation why the use of primates in such training is more advantageous and realistic than the use of human simulators or other alternatives.

(4) An estimate of the cost of converting from the use of primates to human simulators in such training.

SEC. 8108. (a) FINDINGS.—The Senate makes the following findings:

(1) Real time intelligence, surveillance, and reconnaissance (ISR) is critical to our warfighters in fighting the ongoing wars in Iraq and Afghanistan.

(2) Secretary of Defense Gates and the military leadership of the United States have highlighted the importance of collecting and disseminating critical intelligence and battlefield information to our troops on the ground in Iraq and Afghanistan.

(3) The Chief of Staff of the Air Force, General Norton Schwartz, has stated that the Air Force is ''all-in'' for the joint fight.

(4) One of the most effective and heavily tasked intelligence, surveillance, and reconnaissance assets operating today is the Air Force's E–8C Joint Surveillance Target Attack Radar System, also known as Joint STARS.

(5) Commanders in the field rely on Joint STARS to give them a long range view of the battlefield and detect moving targets in all weather conditions as well as tactical support to Brigade Combat Teams, Joint Tactical Air Controllers and Special Operations Forces convoy overwatch.

(6) Joint STARS is a joint platform, flown by a mix of active duty Air Force and Air National Guard personnel and operated by a joint Army, Air Force, and Marine crew, supporting missions for all the Armed Forces.

(7) With a limited number of airframes, Joint STARS has flown over 55,000 combat hours and 900 sorties over Iraq and Afghanistan and directly contributed to the discovery of hundreds of Improvised Explosive Devices.

(8) The current engines greatly limit the performance of Joint STARS aircraft and are the highest cause of maintenance problems and mission aborts.

(9) There is no other current or programmed aircraft or weapon system that can provide the detailed, broad-area ground moving target indicator (GMTI) and airborne battle management support for the warfighter that Joint STARS provides.

(10) With the significant operational savings that new engines will bring to the Joint STARS, re-engining Joint STARS will pay for itself by 2017 due to reduced operations, sustainment, and fuel costs.

(11) In December 2002, a JSTARS re-engining study determined that re-engining provided significant benefits and cost savings. However, delays in executing the re-engining program continue to result in increased costs for the re-engining effort.

(12) The budget request for the Department of Defense for fiscal year 2010 included $205,000,000 in Aircraft Procurement, Air Force, and $16,000,000 in Research, Development, Test, and Evaluation, Air Force for Joint STARS re-engining.

(13) On September 22, 2009, the Department of Defense re-affirmed their support for the President's Budget request for Joint STARS re-engining.

(14) On September 30, 2009, the Undersecretary of Defense (Acquisition, Technology, and Logistics) signed an Acquisition Decision Memorandum directing that the Air Force proceed with the Joint STARS re-engining effort, to include expenditure of procurement and research, development, test, and evaluation funds.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) Funds for re-engining of the E–8C Joint Surveillance Target Attack Radar System (Joint STARS) should be appropriated in the correct appropriations accounts and in the amounts required in fiscal year 2010 to execute the Joint STARS Re-Engining System Design and Development Program; and

(2) the Air Force should proceed with currently planned efforts to re-engine Joint STARS aircraft, to include expending both procurement and research, development, test, and evaluation funds.

SEC. 8109. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in this Act shall be posted on the public website of that agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

SEC. 8110. (a) The Secretary of Defense shall conduct a study on defense contracting fraud and submit a report containing the findings of such study to the congressional defense committees.

(b) The report required under subsection (a) shall include—

(1) an assessment of the total value of Department of Defense contracts entered into to with contractors that have been indicted for, settled charges of, been fined by any Federal department or agency for, or been convicted of fraud in connection with any contract or other transaction entered into with the Federal Government; and

(2) recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding how to penalize contractors repeatedly involved in fraud in connection with contracts or other transactions entered into with the Federal Government.

SEC. 8111. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', $12,000,000 shall be available for the peer-reviewed Gulf War Illness Research Program of the Army run by Congressionally Directed Medical Research Programs.

SEC. 8112. (a) It is the sense of Congress that—

(1) All of the National Nuclear Security Administration sites, including the Nevada Test Site can play an effective and essential role in developing and demonstrating—

(A) innovative and effective methods for treaty verification and the detection of nuclear weapons and other materials; and

(B) related threat reduction technologies; and

(2) the Administrator for Nuclear Security should expand the mission of the Nevada Test Site to carry out the role described in paragraph (1), including by—

(A) fully utilizing the inherent capabilities and uniquely secure location of the Site;

(B) continuing to support the Nation's nuclear weapons program and other national security programs; and

(C) renaming the Site to reflect the expanded mission of the Site.

(b) Not later than one year after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a plan for improving the infrastructure of the Nevada Test Site of the National Nuclear Security Administration and, if the Administrator deems appropriate, all other sites under the jurisdiction of the National Nuclear Security Administration—

(1) to fulfill the expanded mission of the Site described in subsection (a); and

(2) to make the Site available to support the threat reduction programs of the entire national security community, including threat reduction programs of the National Nuclear Security Administration, the Defense Threat Reduction Agency, the Department of Homeland Security, and other agencies as appropriate.

SEC. 8113. Of the amounts appropriated or otherwise made available by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' and available for the Office of the Secretary of Defense, up to $250,000 may be available to the Under Secretary of Defense for Policy for the declassification of the nuclear posture review conducted under section 1041 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–262) upon the release of the nuclear posture review to succeed such nuclear posture review.

SEC. 8114. Of the amount appropriated or otherwise made available by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', up to $15,000,000 may be available for the implementation by the Department of Defense of the responsibilities of the Department under the Military and Overseas Voter Empowerment Act and the amendments made by that Act.

SEC. 8115. None of the funds appropriated or otherwise made available by this Act may be used to dispose of claims filed regarding water contamination at Camp Lejeune, North Carolina, until the Agency for Toxic Substances and Disease Registry (ATSDR) fully completes all current, ongoing epidemiological and water modeling studies pending as of the date of the enactment of this Act.

SEC. 8116. (a) LIMITATION ON AVAILABILITY OF FUNDS FOR EXECUTION OF CONTRACTS UNDER LOGCAP.—No later than 90 days after enactment of this Act none of the funds appropriated or otherwise made available by this Act may be obligated or expended for the execution of a contract under the Logistics Civil Augmentation Program (LOGCAP) unless the Secretary of the Army determines that the contract explicitly requires the contractor—

(1) to inspect and immediately correct deficiencies that present an imminent threat of death or serious bodily injury so as to ensure compliance with generally accepted electrical standards as determined by the Secretary of Defense in work under the contract;

(2) monitor and immediately correct deficiencies in the quality of any potable or non-potable water provided under the contract to ensure that safe and sanitary water is provided; and

(3) establish and enforce strict standards for preventing, and immediately addressing and cooperating with the prosecution of, any instances of sexual assault in all of its operations and the operations of its subcontractors.

(b) WAIVER.—The Secretary of the Army may waive the applicability of the limitation in subsection (a) to any contract if the Secretary certifies in writing to Congress that—

(1) the waiver is necessary for the provision of essential services or critical operating facilities for operational missions; or

(2) the work under such contract does not present an imminent threat of death or serious bodily injury.

SEC. 8117. None of the funds appropriated or otherwise made available by this Act may be used by the Secretary of the Army to transfer by sale, lease, loan, or donation government-owned ammunition production equipment or facilities to a private ammunition manufacturer until 60 days after the Secretary submits a certification to the congressional defense committees that the transfer will not increase the cost of ammunition procurement or negatively impact national security, military readiness, government ammunition production or the United States ammunition production industrial base. The certification shall include the Secretary of the Army's assessment of the following:

(1) A cost-benefit risk analysis for converting government-owned ammunition production equipment or facilities to private ammunition manufacturers, including cost-savings comparisons.

(2) A projection of the impact on the ammunition production industrial base in the United States of converting such equipment or facilities to private ammunition manufacturers.

(3) A projection of the capability to meet current and future ammunition production requirements by both government-owned and private ammunition manufacturers, as well as a combination of the two sources of production assets.

(4) Potential impact on national security and military readiness.

SEC. 8118. (a) None of the funds appropriated or otherwise made available by this Act may be used for any existing or new Federal contract if the contractor or a subcontractor at any tier requires that an employee or independent contractor, as a condition of employment, sign a contract that mandates that the employee or independent contractor performing work under the contract or subcontract resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) The prohibition in subsection (a) does not apply with respect to employment contracts that may not be enforced in a court of the United States.

SEC. 8119. (a) LIMITATION ON EARLY RETIREMENT OF TACTICAL AIRCRAFT.—The Secretary of the Air Force may not retire any tactical aircraft as announced in the Combat Air Forces structuring plan announced on May 18, 2009, until the Secretary submits to the congressional defense committees the report described in subsection (b).

(b) REPORT.—The report described in this subsection is a report that sets forth the following:

(1) A detailed plan for how the Secretary of the Air Force will fill the force structure and capability gaps resulting from the retirement of tactical aircraft under the structuring plan described in subsection (a).

(2) A description of the follow-on missions for each base affected by the structuring plan.

(3) An explanation of the criteria used for selecting the bases referred to in paragraph (2) and for the selection of tactical aircraft for retirement under the structuring plan.

(4) A plan for the reassignment of the regular and reserve Air Force personnel affected by the retirement of tactical aircraft under the structuring plan.

(5) An estimate of the cost avoidance to be achieved by the retirement of such tactical aircraft, and a description how such funds would be invested under the period covered by the most current future-years defense program.

SEC. 8120. (a) NATURE OF FULL AND OPEN COMPETITION FOR CONGRESSIONALLY DIRECTED SPENDING ITEMS.—Each congressionally directed spending item specified in this Act or the report accompanying this Act that is intended for award to a for-profit entity shall be subject to acquisition regulations for full and open competition on the same basis as each spending item intended for a for-profit entity that is contained in the budget request of the President.

(b) EXCEPTIONS.—Subsection (a) shall not apply to any contract awarded—

(1) by a means that is required by Federal statute, including for a purchase made under a mandated preferential program;

(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.); or

(3) in an amount less than the simplified acquisition threshold described in section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a)).

(c) CONGRESSIONALLY DIRECTED SPENDING ITEM DEFINED.—In this section, the term ''congressionally directed spending item'' means the following:

(1) A congressionally directed spending item, as defined in Rule XLIV of the Standing Rules of the Senate.

(2) A congressional earmark for purposes of rule XXI of the House of Representatives.

SEC. 8121. (a) FUNDING FOR TWO-STAGE GROUND-BASED INTERCEPTOR MISSILE.—Of the amounts appropriated or otherwise made available by this Act for a long-range missile defense system in Europe, or appropriated or otherwise made available for the Department of Defense

for a long-range missile defense system in Europe from the Consolidated Security Disaster Assistance, and Continuing Appropriations Act of 2009 (Public Law 110–329) and available for obligation, no less than $50,000,000, and up to $151,000,000 shall be available for research, development, test, and evaluation of the two-stage ground-based interceptor missile.

(b) PROHIBITION ON DIVERSION OF FUNDS.—Funds appropriated or otherwise made available by this Act for the Missile Defense Agency for the purpose of research, development, and testing of the two-stage ground based interceptor missile shall be utilized solely for that purpose, and may not be reprogrammed or otherwise utilized for any other purpose.

(c) REPORT.—Not later than February 1, 2010, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report setting forth the following:

(1) A comprehensive plan for the continued development and testing of the two-stage ground-based interceptor missile, including a description how the Missile Defense Agency will leverage the development and testing of such missile to modernize the Ground-based Midcourse Defense component of the ballistic missile defense system.

(2) Options for deploying an additional Ground-based Midcourse Defense site in Europe or the United States to provide enhanced defense in response to future long-range missile threats from Iran, and a description of how such a site may be made interoperable with the planned missile defense architecture for Europe and the United States.

SEC. 8122. (a) AMOUNT FOR EVALUATIONS OF CERTAIN LASER SYSTEMS.—Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE'' and available for Advanced Weapons Technology (PE# 0603605F), up to $5,000,000 may be available to carry out the evaluations and analyses required by subsection (b).

(b) EVALUATIONS AND ANALYSES OF CERTAIN LASER SYSTEMS.—The Secretary of Defense shall, in a manner consistent with the October 8, 2008, report of the Air Force Scientific Advisory Board entitled ''Airborne Tactical Laser (ATL) Feasibility for Gunship Operations''—

(1) carry out additional enhanced user evaluations of the Advanced Tactical Laser system on a variety of instrumented targets; and

(2) enter into an agreement with a federally funded research and development center under which the center shall—

(A) conduct an analysis of the feasibility of integrating solid state laser systems onto C–130, B–1, and F–35 aircraft platforms to provide close air support; and

(B) estimate the cost per unit of such laser systems and the cost of operating and maintaining each such platform with such laser systems.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $9,597,340,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,175,601,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $670,722,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,445,376,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $293,637,000.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $37,040,000.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $31,337,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $19,822,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $824,966,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $9,500,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $51,928,167,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $5,899,597,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $3,775,270,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $9,929,868,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $7,550,900,000, of which:

(1) Not to exceed $12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

(2) Not to exceed $1,600,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation Iraqi Freedom and Operation Enduring Freedom, notwithstanding any other provision of law: Provided, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $234,898,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $68,059,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $86,667,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $125,925,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $450,246,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $289,862,000.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $6,562,769,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $1,119,319,000, to remain available until September 30, 2012.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $475,954,000, to remain available until September 30, 2012.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $875,866,000, to remain available until September 30, 2012.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $365,635,000, to remain available until September 30, 2012.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $4,874,176,000, to remain available until September 30, 2012.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $1,342,577,000, to remain available until September 30, 2012.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $50,700,000, to remain available until September 30, 2012.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $681,957,000, to remain available until September 30, 2012.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $260,118,000, to remain available until September 30, 2012.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $868,197,000, to remain available until September 30, 2012.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $736,501,000, to remain available until September 30, 2012.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $36,625,000, to remain available until September 30, 2012.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $256,819,000, to remain available until September 30, 2012.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $3,138,021,000, to remain available until September 30, 2012.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $480,780,000, to remain available until September 30, 2012.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, $6,656,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: Provided further, That the Secretary shall transfer such funds only to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $57,962,000, to remain available until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $84,180,000, to remain available until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $39,286,000, to remain available until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $112,196,000, to remain available until September 30, 2011.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $412,215,000.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,563,675,000, which shall be for operation and maintenance.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES

For an additional amount for ''Drug Interdiction and Counter-Drug Activities'', $353,603,000, to remain available until September 30, 2011.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $2,033,560,000, to remain available until September 30, 2012: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That amounts transferred shall be merged with and available for the same purposes and time period as the appropriations to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $8,876,000.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2010.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2010: Provided further, That the amount in this section is designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan: (a) passenger motor vehicles up to a limit of $75,000 per vehicle and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $1,200,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. Each amount in this title is designated as being for overseas deployments and other activities pursuant to section 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 9008. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9009. (a) The Director of the Office of Management and Budget, in consultation with the Secretary of Defense; the Commander of the United States Central Command; the Commander, Multi-National Security Transition Command—Iraq; and the Commander, Combined Security Transition Command—Afghanistan, shall submit to the congressional defense committees not later than 45 days after the end of each fiscal quarter a report on the proposed use of all funds appropriated by this or any prior Act under each of the headings ''Iraq Security Forces Fund'', ''Afghanistan Security Forces Fund'', and ''Pakistan Counterinsurgency Fund'' on a project-by-project basis, for which the obligation of funds is anticipated during the 3-month period from such date, including estimates by the commanders referred to in this section of the costs required to complete each such project.

(b) The report required by this subsection shall include the following:

(1) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in subsection (a) were obligated prior to the submission of the report, including estimates by the commanders referred to in subsection (a) of the costs to complete each project.

(2) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in subsection (a) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates by the commanders referred to in subsection (a) of the costs to complete each project.

(3) An estimated total cost to train and equip the Iraq, Afghanistan, and Pakistan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

(c) The Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfers of funds between sub-activity groups in excess of $20,000,000 using funds appropriated by this or any prior Act under the headings ''Iraq Security Forces Fund'', ''Afghanistan Security Forces Fund'', and ''Pakistan Counterinsurgency Fund''.

SEC. 9010. (a) None of the funds appropriated or otherwise made available by this Act or any prior Act may be used to transfer, release, or incarcerate any individual who was detained as of October 1, 2009, at Naval Station, Guantanamo Bay, Cuba, to or within the United States or its territories.

(b) In this section, the term ''United States'' means the several States and the District of Columbia.

SEC. 9011. In addition to amounts made available elsewhere in this title there is hereby appropriated $329,000,000 for the purchase of fuel to the following accounts in the specified amounts:

''Operation and Maintenance, Army'', $83,552,000;

''Operation and Maintenance, Navy'', $33,889,000;

''Operation and Maintenance, Marine Corps'', $1,619,000;

''Operation and Maintenance, Air Force'', $179,191,000;

''Operation and Maintenance, Army Reserve'', $8,567,000;

''Operation and Maintenance, Navy Reserve'', $3,007,000;

''Operation and Maintenance, Marine Corps Reserve'', $39,000; and

''Operation and Maintenance, Army National Guard'', $19,136,000.

SEC. 9012. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 9013. The Secretary of Defense may, in consultation with the Secretary of State and the Administrator of the United States Agency for International Development, continue to support requirements for monthly integrated civilian-military training for civilians deploying to Afghanistan at Camp Atterbury, Indiana, including through the allocation of military and civilian personnel, trainers, and other resources for that purpose.

SEC. 9014. (a) HEARINGS ON STRATEGY AND RESOURCES WITH RESPECT TO AFGHANISTAN AND PAKISTAN.—Appropriate committees of Congress shall hold hearings, in open and closed session, relating to the strategy and resources of the United States with respect to Afghanistan and Pakistan promptly after the decision by the President on those matters is announced.

(b) TESTIMONY.—The hearings described in subsection (a) should include testimony from senior civilian and military officials of the United States, including, but not limited to, the following:

(1) The Secretary of Defense.

(2) The Secretary of State

(3) The Chairman of the Joint Chiefs of Staff.

(4) The Commander of the United States Central Command.

(5) The Commander of the United States European Command and Supreme Allied Commander, Europe.

(6) The Commander of United States Forces–Afghanistan.

(7) The United States Ambassador to Afghanistan.

(8) The United States Ambassador to Pakistan.

SEC. 9015. (a) FUNDING FOR OUTREACH AND REINTEGRATION SERVICES UNDER YELLOW RIBBON REINTEGRATION PROGRAM.—Of the amounts appropriated or otherwise made available by title IX. $20,000,000 shall be available for outreach and reintegration services under the Yellow Ribbon Reintegration Program under section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 125; 10 U.S.C. 10101 note).

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the services described in that subsection is in addition to any other amounts available in this Act for such services.

This Act may be cited as the ''Department of Defense Appropriations Act, 2010''.

MOTION OFFERED BY MR. MURTHA

Mr. MURTHA. Madam Speaker, I offer the motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Murtha moves that the House concur in the amendment of the Senate with the amendment printed in House Report 111–380.

The SPEAKER pro tempore. The House amendment to the Senate amendment to the bill H.R. 3326 contains an emergency designation for the purposes of pay-as-you-go principles.

Accordingly, the Chair must put the question of consideration under clause 10(c)(3) of rule XXI.

The question is, Will the House now consider the motion to concur in the Senate amendment with an amendment?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 976, the amendment printed in part A of House Report 111–380 and the motion shall be considered as read.

The text of the amendment is as follows:

Amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Department of Defense Appropriations Act, 2010''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS

Title I—Military Personnel
Title II—Operation and Maintenance
Title III—Procurement
Title IV—Research, Development, Test and Evaluation
Title V—Revolving and Management Funds
Title VI—Other Department of Defense Programs
Title VII—Related Agencies
Title VIII—General Provisions
Title IX—Overseas Contingency Operations

DIVISION B—OTHER MATTERS

SEC. 3. REFERENCES.

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

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I
MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,005,612,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $25,289,049,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,799,990,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $26,174,136,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,304,713,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,909,301,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $613,500,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,589,412,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,546,905,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,938,229,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $30,934,550,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,657,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $34,714,396,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,539,117,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $33,477,116,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $28,115,793,000: *Provided*, That not more than $50,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $29,732,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $6,667,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,617,496,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,273,701,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $223,175,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,131,200,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,189,713,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $5,882,251,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,932,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $423,364,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $285,869,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $494,276,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,100,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $292,700,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $109,869,000, to remain available until September 30, 2011.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $424,093,000, to remain available until September 30, 2012: *Provided*, That of the amounts provided under this heading, not less than $15,000,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East and North.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $100,000,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,093,822,000, to remain available for obligation until September 30, 2012.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,251,053,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes,

$2,335,807,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,056,115,000, to remain available for obligation until September 30, 2012.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; and the purchase of eight vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $8,582,660,000, to remain available for obligation until September 30, 2012.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $18,643,221,000, to remain available for obligation until September 30, 2012.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,357,572,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $800,651,000, to remain available for obligation until September 30, 2012.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $739,269,000;

Carrier Replacement Program (AP), $484,432,000;

NSSN, $1,964,317,000;

NSSN (AP), $1,959,725,000;

CVN Refueling, $1,563,602,000;

CVN Refuelings (AP), $211,820,000;

DDG–1000 Program, $1,382,797,000;

DDG–51 Destroyer, $1,912,267,000;

DDG–51 Destroyer (AP), $578,996,000;

Littoral Combat Ship, $1,080,000,000;

LPD–17, $872,392,000;

LPD–17 (AP), $184,555,000;

LHA–R (AP), $170,000,000;

Intratheater Connector, $177,956,000;

LCAC Service Life Extension Program, $63,857,000;

Prior year shipbuilding costs, $144,950,000;

Service Craft, $3,694,000; and

For outfitting, post delivery, conversions, and first destination transportation, $386,903,000.

In all: $13,881,532,000, to remain available for obligation until September 30, 2014: *Provided*, That additional obligations may be incurred after September 30, 2014, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of seven vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,441,234,000, to remain available for obligation until September 30, 2012.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,521,505,000, to remain available for obligation until September 30, 2012.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $13,295,474,000, to remain available for obligation until September 30, 2012; *Provided*, That none of the funds provided in this Act for modification of C–17 aircraft may be obligated until all C–17 contracts funded with prior year ''Aircraft Procurement, Air Force'' appropriated funds are definitized unless the Secretary of the Air Force certifies in writing to the congressional defense committees that each such obligation is necessary to meet the needs of a warfighting requirement or prevents increased costs to the taxpayer and provides the reasons for failing to definitize the prior year contracts along with the prospective contract definitization schedule.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $5,995,544,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $801,550,000, to remain available for obligation until September 30, 2012.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of two vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,138,239,000, to remain available for obligation until September 30, 2012.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,050,537,000, to remain available for obligation until September 30, 2012.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $150,746,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $11,474,180,000, to remain available for obligation until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,003,463,000, to remain available for obligation until September 30, 2011: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $28,121,985,000, to remain available for obligation until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,747,081,000, to remain available for obligation until September 30, 2011, of which $2,500,000 shall be available only for the Missile Defense Agency to construct a replacement Patriot launcher pad for the Japanese Ministry of Defense.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $190,770,000, to remain available for obligation until September 30, 2011.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,455,004,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,672,758,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $29,243,428,000; of which $27,596,689,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available until September 30, 2011, and of which up to $15,093,539,000 may be available for contracts entered into under the TRICARE program; of which $366,692,000, to remain available for obligation until September 30, 2012, shall be for procurement; and of which $1,280,047,000, to remain available for obligation until September 30, 2011, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $10,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,560,760,000, of which $1,146,802,000 shall be for operation and maintenance, of which no less than $84,839,000, shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $34,905,000 for activities on military installations and $49,934,000, to remain available until September 30, 2011, to assist State and local governments; $12,689,000 shall be for procurement, to remain available until September 30, 2012, of which no less than $12,689,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and $401,269,000, to remain available until September 30, 2011, shall be for research, development, test and evaluation, of which $398,669,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,158,226,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $121,550,000 for Staff and Infrastructure: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: *Provided further*, That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of the Fund: *Provided further*, That the Secretary of Defense may transfer

funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That amounts transferred shall be merged with and available for the same purposes and time period as the appropriations to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $288,100,000, of which $287,100,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2012, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $290,900,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $707,912,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2010: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: *Provided further*, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8008. The Secretaries of the Air Force and the Army are authorized, using funds available under the headings "Operation and Maintenance, Air Force" and "Operation and Maintenance, Army", to complete facility conversions and phased repair projects which may include upgrades and additions to Alaskan range infrastructure and training areas, and improved access to these ranges.

(TRANSFER OF FUNDS)

SEC. 8009. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8010. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8011. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a report within 30 days of enactment of this Act that certifies full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any

aircraft unit to be procured through the contract for which procurement funds are identified in that report for production beyond advance procurement activities in the fiscal year 2010 budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

F–18 aircraft variants.

SEC. 8012. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8013. (a) During fiscal year 2010, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2011 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2011.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8014. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8015. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

SEC. 8016. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8017. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8018. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8019. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8020. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8021. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any

contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8022. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8023. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds the period permitted by section 322 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84).

SEC. 8024. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8025. (a) Of the funds made available in this Act, not less than $33,756,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $26,433,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $6,426,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $897,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8026. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2010 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2010, not more than 5,600 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,100 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2011 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $125,200,000.

SEC. 8027. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8028. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8029. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8030. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2010. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8031. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8032. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, and Minnesota relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, and Minnesota.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8033. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8034. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during

the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2011 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2011 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8035. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2011: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2011.

SEC. 8036. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8037. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8038. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8039. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8040. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

SEC. 8041. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement regarding this Act.

(RESCISSIONS)

SEC. 8042. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Research, Development, Test and Evaluation, Navy, 2009/2010'', $20,000,000;

''Research, Development, Test and Evaluation, Air Force, 2009/2010'', $98,430,000;

''Research, Development, Test and Evaluation, Defense-Wide, 2009/2010'', $154,457,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2009/2011'', $41,087,000;

''Other Procurement, Army, 2009/2011'', $138,239,000;

''Other Procurement, Navy, 2009/2011'', $84,844,000;

''Aircraft Procurement, Air Force, 2009/2011'', $628,900,000;

''Missile Procurement, Air Force, 2009/2011'', $60,000,000;

''Other Procurement, Air Force, 2009/2011'', $10,900,000;

''Procurement, Defense-Wide, 2009/2011'', $5,200,000; and

''Procurement, Defense-Wide, 2008/2010'', $2,000,000.

SEC. 8043. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8044. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8045. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8046. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8047. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8048. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such

an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8049. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8050. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8051. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following—

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8052. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8053. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8054. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8055. (a) IN GENERAL.—Service as a member of the Alaska Territorial Guard during World War II of any individual who was honorably discharged therefrom under section 8147 of the Department of Defense Appropriations Act, 2001 (Public Law 106–259; 114 Stat. 705) shall be treated as active service for purposes of the computation under chapter 61, 71, 371, 571, 871, or 1223 of title 10, United States Code, as applicable, of the retired pay to which such individual may be entitled under title 10, United States Code.

(b) APPLICABILITY.—Subsection (a) shall apply with respect to amounts of retired pay payable under title 10, United States Code, for months beginning on or after the date of the enactment of this Act. No retired pay shall be paid to any individual by reason of subsection (a) for any period before that date.

(c) WORLD WAR II DEFINED.—In this section, the term ''World War II'' has the meaning given that term in section 101(8) of title 38, United States Code.

SEC. 8056. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8057. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8058. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8059. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8060. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8061. (a) None of the funds made available by this Act may be used to support any

training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8062. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8063. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8064. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8065. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8066. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8067. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8068. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary-tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8069. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8070. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8071. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $106,754,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8073. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2010.

SEC. 8074. In addition to amounts provided elsewhere in this Act, $3,750,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8075. Of the amounts appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $202,434,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $80,092,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, $50,036,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $72,306,000 shall be for the Arrow Missile Defense Program, of which $25,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8076. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $144,950,000 shall be available until September 30, 2010, to fund

prior year shipbuilding cost increases: *Provided*, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred:

To:

Under the heading ''Shipbuilding and Conversion, Navy, 2004/2010'':

New SSN, $26,906,000; and

LPD–17 Amphibious Transport Dock Program, $16,844,000.

Under the heading ''Shipbuilding and Conversion, Navy, 2005/2010'':

New SSN, $18,702,000; and

LPD–17 Amphibious Transport Dock Program, $16,498,000.

Under the heading ''Shipbuilding and Conversion, Navy, 2008/2012'':

LPD–17 Amphibious Transport Dock Program, $66,000,000.

SEC. 8077. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8078. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8079. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for Fiscal Year 2010.

SEC. 8080. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8081. In addition to funds made available elsewhere in this Act, $5,500,000 is hereby appropriated and shall remain available until expended to provide assistance, by grant or otherwise (such as the provision of funds for information technology and textbook purchases, professional development for educators, and student transition support) to public schools in states that are considered overseas assignments with unusually high concentrations of special needs military dependents enrolled: *Provided*, That up to 2 percent of the total appropriated funds under this section shall be available for the administration and execution of the programs and/or events that promote the purpose of this appropriation: *Provided further*, That up to 5 percent of the total appropriated funds under this section shall be available to public schools that have entered into a military partnership: *Provided further*, That $1,000,000 shall be available for a nonprofit trust fund to assist in the public-private funding of public school repair and maintenance projects: *Provided further*, That $500,000 shall be available to fund an ongoing special education support program in public schools with unusually high concentrations of active duty military dependents enrolled: *Provided further*, That to the extent a Federal agency provides this assistance by contract, grant, or otherwise, it may accept and expend non-Federal funds in combination with these Federal funds to provide assistance for the authorized purpose.

SEC. 8082. (a) In addition to the amounts provided elsewhere in this Act, $3,000,000 is hereby appropriated to the Department of Defense for ''Operation and Maintenance, Army National Guard''. Such amount shall be made available to the Secretary of the Army only to make a grant in the amount of $3,000,000 to the entity specified in subsection (b) to facilitate access by veterans to opportunities for skilled employment in the construction industry.

(b) The entity referred to in subsection (a) is the Center for Military Recruitment, Assessment and Veterans Employment, a nonprofit labor-management cooperation committee provided for by section 302(c)(9) of the Labor-Management Relations Act, 1947 (29 U.S.C. 186(c)(9)), for the purposes set forth in section 6(b) of the Labor Management Cooperation Act of 1978 (29 U.S.C. 175a note).

SEC. 8083. The budget of the President for fiscal year 2011 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8084. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8085. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $110,640,000 is hereby appropriated to the Department of Defense: *Provided*, That the Secretary of Defense shall make grants in the amounts specified as follows: $15,000,000 to the United Service Organizations; $22,500,000 to the Red Cross; $6,000,000 to the SOAR Virtual School District; $5,000,000 to The Presidio Heritage Center; $5,000,000 to the Paralympics Military Program; $3,840,000 to the Arrest Deterioration of Ford Island Aviation Control Tower, Pearl Harbor, Hawaii; $1,500,000 to the Go For Broke program; $800,000 to Our Military Kids; $3,000,000 to the New Jersey Technology Center; $1,600,000 to the Women in Military Service for America Memorial; $500,000 to the Marshall Legacy Institute; $1,000,000 to the Vietnam Veterans Memorial Fund for Demining Activities; $18,900,000 to the Edward M. Kennedy Institute for the Senate; $5,000,000 to the U.S.S. Missouri Memorial Association; $20,000,000 to the National World War II Museum; and $1,000,000 for the Riverside General Hospital in Houston, Texas, for the treatment of psychological health issues.

SEC. 8086. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8087. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8088. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8089. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8090. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8091. (a) None of the funds appropriated by this Act may be used to transfer

research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8092. Of the funds provided in this Act, $10,000,000 shall be available for the operations and development of training and technology for the Joint Interagency Training and Education Center and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agencies, and State and local first responder personnel at the Joint Interagency Training and Education Center.

SEC. 8093. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8094. Up to $16,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8095. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2011.

SEC. 8096. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8097. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions, the total amount appropriated in title II of this Act is hereby reduced by $194,000,000, the total amount appropriated in title III of this Act is hereby reduced by $322,000,000, the total amount appropriated in title IV of this Act is hereby reduced by $336,000,000, and the total amount appropriated in title V of this Act is hereby reduced by $9,000,000: *Provided*, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.

SEC. 8098. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8099. The Secretary of Defense shall create a major force program category for space for the Future Years Defense Program of the Department of Defense. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

SEC. 8100. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books.

(1) For procurement programs requesting more than $20,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $10,000,000 in any fiscal year, the R–1, RDT&E Program; R–2, RDT&E Budget Item Justification; R–3, RDT&E Project Cost Analysis; and R–4, RDT&E Program Schedule Profile.

SEC. 8101. Notwithstanding any other provision of law, none of the funds made available in this Act may be used to pay negotiated indirect cost rates on a contract, grant, or cooperative agreement (or similar arrangement) entered into by the Department of Defense and an entity in excess of 35 percent of the total cost of the contract, grant, or agreement (or similar arrangement): *Provided*, That this limitation shall apply only to contracts, grants, or cooperative agreements entered into after the date of enactment of this Act using funds made available in this Act for basic research.

SEC. 8102. The Secretary of Defense shall maintain on the homepage of the Internet website of the Department of Defense a direct link to the Internet website of the Office of Inspector General of the Department of Defense.

SEC. 8103. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8104. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8105. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8106. The Department of Defense shall continue to report incremental contingency operations costs for Operation Iraqi Freedom and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

SEC. 8107. The amounts appropriated in title II of this Act are hereby reduced by $400,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows:

(1) From ''Operation and Maintenance, Army'', $150,000,000; and

(2) From ''Operation and Maintenance, Air Force'', $250,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8108. (a) CONTINUATION OF STOP-LOSS SPECIAL PAY.—Funds appropriated by this Act, or made available by the transfer of funds in this Act, shall be made available to the Secretaries of the military departments only to provide special pay during fiscal year 2010 to members of the Army, Navy, Air Force, and Marine Corps, including members of their reserve components, who, at any time during fiscal year 2010, serve on active duty while the members' enlistment or period of obligated service is extended, or whose eligibility for retirement is suspended, pursuant to section 123 or 12305 of title 10, United States Code, or any other provision of law (commonly referred to as a ''stop-loss authority'') authorizing the President to extend an enlistment or period of obligated service, or suspend an eligibility for retirement, of a member of the uniformed services in time of war or of national emergency declared by Congress or the President.

(b) SPECIAL PAY AMOUNT.—The amount of the special pay paid under subsection (a) to or on behalf of an eligible member shall be $500 per month for each month or portion of a month during fiscal year 2010 that the member is retained on active duty as a result of application of the stop-loss authority.

(c) TREATMENT OF DECEASED MEMBERS.—If an eligible member described in subsection (a) dies before the payment required by this section is made, the Secretary of the military department concerned shall make the payment in accordance with section 2771 of title 10, United States Code.

(d) CLARIFICATION OF RETROACTIVE STOP-LOSS SPECIAL PAY AUTHORITY.—Section 310 of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1870) is amended by adding at the end the following new subsection:

''(i) EFFECT OF SUBSEQUENT REENLISTMENT OF VOLUNTARY EXTENSION OF SERVICE.—Members of the Armed Forces, retired members, and former members otherwise described in subsection (a) are not eligible for a payment under this section if the members—

''(1) voluntarily reenlisted or extended their service after their enlistment or period of obligated service was extended, or after their eligibility for retirement was suspended, pursuant to a stop-loss authority; and

''(2) received a bonus for such reenlistment or extension of service.''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8109. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8110. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8111. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8112. (a) HIGH PRIORITY NATIONAL GUARD COUNTERDRUG PROGRAMS.—Of the amount appropriated or otherwise made available by title VI under the heading ''Drug Interdiction and Counter-Drug Activities, Defense'', up to $15,000,000 shall be available for the purpose of High Priority National Guard Counterdrug Programs.

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the purpose specified in that subsection is in addition to any other amounts made available by this Act for that purpose.

APOLOGY TO NATIVE PEOPLES OF THE UNITED STATES

SEC. 8113. (a) ACKNOWLEDGMENT AND APOLOGY.—The United States, acting through Congress—

(1) recognizes the special legal and political relationship Indian tribes have with the United States and the solemn covenant with the land we share;

(2) commends and honors Native Peoples for the thousands of years that they have stewarded and protected this land;

(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes;

(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;

(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;

(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land; and

(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.

(b) DISCLAIMER.—Nothing in this section—

(1) authorizes or supports any claim against the United States; or

(2) serves as a settlement of any claim against the United States.

SEC. 8114. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8115. (a) It is the sense of Congress that—

(1) All of the National Nuclear Security Administration sites, including the Nevada Test Site can play an effective and essential role in developing and demonstrating—

(A) innovative and effective methods for treaty verification and the detection of nuclear weapons and other materials; and

(B) related threat reduction technologies; and

(2) the Administrator for Nuclear Security should expand the mission of the Nevada Test Site to carry out the role described in paragraph (1), including by—

(A) fully utilizing the inherent capabilities and uniquely secure location of the Site;

(B) continuing to support the Nation's nuclear weapons program and other national security programs; and

(C) renaming the Site to reflect the expanded mission of the Site.

(b) Not later than one year after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees and the Subcommittees on Energy and Water Development of the Committees on Appropriations a plan for improving the infrastructure of the Nevada Test Site of the National Nuclear Security Administration and, if the Administrator deems appropriate, all other sites under the jurisdiction of the National Nuclear Security Administration—

(1) to fulfill the expanded mission of the Site described in subsection (a); and

(2) to make the Site available to support the threat reduction programs of the entire national security community, including threat reduction programs of the National Nuclear Security Administration, the Defense Threat Reduction Agency, the Department of Homeland Security, and other agencies as appropriate.

SEC. 8116. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000 that is awarded more than 60 days after the effective date of this Act, unless the contractor agrees not to:

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract awarded more than 180 days after the effective date of this Act unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

SEC. 8117. (a) PROHIBITION ON CONVERSION OF FUNCTIONS PERFORMED BY FEDERAL EMPLOYEES TO CONTRACTOR PERFORMANCE.—None of the funds appropriated or otherwise made available by this Act, or that remain available for obligation for the Department of Defense from the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329), the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), and the Supplemental Appropriations Act, 2009 (Public Law 111–32), may be used to begin or announce the competition to award to a contractor or convert to performance by a contractor any functions performed by Federal employees pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to the award of a function to a contractor or the conversion of a function to performance by a contractor pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76 once all reporting and certifications required by section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) have been satisfactorily completed.

SEC. 8118. (a)(1) No National Intelligence Program funds appropriated in this Act may

be used for a mission critical or mission essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing notice of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(2) During the current fiscal year no funds may be obligated or expended for a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a business system improvement of more than $3,000,000, within the Intelligence Community without the approval of the Business Transformation Investment Review Board.

(b) The Director of the Business Transformation Office shall provide the congressional intelligence committees a semi-annual report of approvals under paragraph (1) no later than March 30 and September 30 of each year. The report shall include the results of the Business Transformation Investment Review Board's semi-annual activities, and each report shall certify that the following steps have been taken for systems approved under paragraph (1):

(1) Business process reengineering.

(2) An analysis of alternatives and an economic analysis that includes a calculation of the return on investment.

(3) Assurance the system is compatible with the enterprise-wide business architecture.

(4) Performance measures.

(5) An information assurance strategy consistent with the Chief Information Officer of the Intelligence Community.

(c) This section shall not apply to any programmatic or analytic systems or programmatic or analytic system improvements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8119. In addition to funds made available elsewhere in this Act, there is hereby appropriated $291,715,000, to remain available until transferred: *Provided*, That these funds are appropriated to the ''Tanker Replacement Transfer Fund'' (referred to as ''the Fund'' elsewhere in this section): *Provided further*, That the Secretary of the Air Force may transfer amounts in the Fund to ''Operation and Maintenance, Air Force'', ''Aircraft Procurement, Air Force'', and ''Research, Development, Test and Evaluation, Air Force'', only for the purposes of proceeding with a tanker acquisition program: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriations or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Air Force shall, not fewer than 15 days prior to making transfers using funds provided in this section, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

SEC. 8120. (a) RESETTLEMENT SUPPORT AND OTHER PUBLIC BENEFITS FOR CERTAIN IRAQI REFUGEES.—Section 1244(g) of the Refugee Crisis in Iraq Act of 2007 (subtitle C of title XII of division A of Public Law 110–181; 122 Stat. 398) is amended by striking ''for a period not to exceed eight months'' and inserting ''to the same extent, and for the same periods of time, as such refugees''.

(b) RESETTLEMENT SUPPORT AND OTHER PUBLIC BENEFITS FOR CERTAIN AFGHAN ALLIES.—Section 602(b)(8) of the Afghan Allies Protection Act of 2009 (title VI of division F of Public Law 111–8; 123 Stat. 809) is amended by striking ''for a period not to exceed 8 months'' and inserting ''to the same extent, and for the same periods of time, as such refugees''.

SEC. 8121. (a) Each congressionally directed spending item specified in this Act or the explanatory statement regarding this Act that is also identified in Senate Report 111–74 and intended for award to a for-profit entity shall be subject to acquisition regulations for full and open competition on the same basis as each spending item intended for a for-profit entity that is contained in the budget request of the President.

(b) EXCEPTIONS.—Subsection (a) shall not apply to any contract awarded—

(1) by a means that is required by Federal statute, including for a purchase made under a mandated preferential program;

(2) pursuant to the Small Business Act (15 U.S.C. 631 et seq.); or

(3) in an amount less than the simplified acquisition threshold described in section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a)).

(c) Any congressionally directed spending item specified in this Act or the explanatory statement regarding this Act that is intended for award to a for-profit entity and is not covered by the competition requirement specified in subsection (a), shall be awarded under full and open competition, except that any contract previously awarded under full and open competition that remains in effect during fiscal year 2010 shall be considered to have satisfied the conditions of full and open competition.

(d) In this section, the term ''congressionally directed spending item'' means the following:

(1) A congressionally directed spending item, as defined in Rule XLIV of the Standing Rules of the Senate.

(2) A congressional earmark for purposes of rule XXI of the House of Representatives.

SEC. 8122. None of the funds appropriated or otherwise made available by this Act may be used to award to a contractor or convert to performance by a contractor any functions pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76 or as part of a utility privatization authorized under section 2688 of title 10, United States Code or under any other provision of law, that are performed by Federal employees at the United States Military Academy, West Point, as of the date of enactment of this Act.

SEC. 8123. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 8124. The explanatory statement regarding this Act printed in the House of Representatives section of the Congressional Record on or about December 16, 2010, by the Chairman of the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $9,958,840,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,388,601,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $778,722,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,667,376,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $293,137,000.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $37,040,000.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $31,337,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $19,822,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $824,966,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $9,500,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $47,821,154,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $5,475,925,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $3,430,258,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $9,216,319,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $7,490,900,000, of which:

(1) Not to exceed $12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

(2) Not to exceed $1,570,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation Iraqi Freedom and Operation Enduring Freedom, notwithstanding any other provision of law: *Provided*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $204,326,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $68,059,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $86,667,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $125,925,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $321,646,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $289,862,000.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for expenses directly relating to overseas contingency operations by United States military forces, $5,000,000,000, to remain available for obligation until expended: *Provided*, That of the funds made available under this heading, the Secretary of Defense may transfer these funds only to military personnel accounts, operation and maintenance accounts, the defense health program appropriation, the Mine Resistant Ambush Protected Vehicle Fund, and working capital funds accounts: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $6,562,769,000, to remain available until September 30, 2011: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $1,238,219,000, to remain available until September 30, 2012.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $475,954,000, to remain available until September 30, 2012.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $1,169,466,000, to remain available until September 30, 2012.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $365,635,000, to remain available until September 30, 2012.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $5,800,516,000, to remain available until September 30, 2012.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $853,297,000, to remain available until September 30, 2012.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $50,700,000, to remain available until September 30, 2012.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $675,957,000, to remain available until September 30, 2012.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $241,018,000, to remain available until September 30, 2012.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $893,197,000, to remain available until September 30, 2012.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $736,501,000, to remain available until September 30, 2012.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $36,625,000, to remain available until September 30, 2012.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $256,819,000, to remain available until September 30, 2012.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,583,421,000, to remain available until September 30, 2012.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $480,780,000, to remain available until September 30, 2012.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $950,000,000, to remain available for obligation until September 30, 2012, of which $575,000,000 shall be available only for the Army National Guard: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, $6,281,000,000, to remain available until September 30, 2011: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: *Provided further*, That the Secretary shall transfer such funds only to appropriations made available in this or any other Act for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That such transferred funds shall be merged with and be available for the same purposes and the same time period as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $57,962,000, to remain available until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $58,660,000, to remain available until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $39,286,000, to remain available until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $112,196,000, to remain available until September 30, 2011.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $412,215,000.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,256,675,000, which shall be for operation and maintenance.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities'', $346,603,000, to remain available until September 30, 2011.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Joint Improvised Explosive Device Defeat Fund'',

$1,762,010,000, to remain available until September 30, 2012.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $8,876,000.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2010.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2010: *Provided further*, That the amount in this section is designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan: (a) passenger motor vehicles up to a limit of $75,000 per vehicle and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $1,200,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, of the funds provided, $500,000,000 shall not be available until 5 days after the Secretary of Defense has completed a thorough review of the Commander's Emergency Response Program and provided a report on his findings to the congressional defense committees.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. Each amount in this title is designated as being for overseas deployments and other activities pursuant to section 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 9008. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9009. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9010. (a) The Director of the Office of Management and Budget, in consultation with the Secretary of Defense; the Commander of the United States Central Command; the Commander, Multi-National Security Transition Command—Iraq; and the Commander, Combined Security Transition Command—Afghanistan, shall submit to the congressional defense committees not later than 45 days after the end of each fiscal quarter a report on the proposed use of all funds appropriated by this or any prior Act under each of the headings ''Iraq Security Forces Fund'', ''Afghanistan Security Forces Fund'', and ''Pakistan Counterinsurgency Fund'' on a project-by-project basis, for which the obligation of funds is anticipated during the 3-month period from such date, including estimates by the commanders referred to in this section of the costs required to complete each such project.

(b) The report required by this subsection shall include the following:

(1) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in subsection (a) were obligated prior to the submission of the report, including estimates by the commanders referred to in subsection (a) of the costs to complete each project.

(2) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in subsection (a) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates by the commanders referred to in subsection (a) of the costs to complete each project.

(3) An estimated total cost to train and equip the Iraq, Afghanistan, and Pakistan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

(c) The Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfers of funds between sub-activity groups in excess of $20,000,000 using funds appropriated by this or any prior Act under the headings ''Iraq Security Forces Fund'', ''Afghanistan Security Forces Fund'', and ''Pakistan Counterinsurgency Fund''.

SEC. 9011. (a) None of the funds made available in this or any other Act may be used to release an individual who is detained, as of June 24, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia, into any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI).

(b) None of the funds made available in this or any other Act may be used to transfer an individual who is detained, as of June 24, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia, into any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI), for the purpose of detention, except as provided in subsection (c).

(c) None of the funds made available in this or any other Act may be used to transfer an individual who is detained, as of June 24, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia, into any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI), for the purposes of prosecuting such individual, or detaining such individual during legal proceedings, until 45 days after the plan described in subsection (d) is received.

(d) The President shall submit to Congress, in classified form, a plan regarding the proposed disposition of any individual covered by subsection (c) who is detained as of June 24, 2009. Such plan shall include, at a minimum, each of the following for each such individual:

(1) A determination of the risk that the individual might instigate an act of terrorism within the continental United States, Alaska, Hawaii, the District of Columbia, or the United States territories if the individual were so transferred.

(2) A determination of the risk that the individual might advocate, coerce, or incite violent extremism, ideologically motivated criminal activity, or acts of terrorism, among inmate populations at incarceration facilities within the continental United States, Alaska, Hawaii, the District of Columbia, or the United States territories if the individual were transferred to such a facility.

(3) The costs associated with transferring the individual in question.

(4) The legal rationale and associated court demands for transfer.

(5) A plan for mitigation of any risks described in paragraphs (1), (2), and (7).

(6) A copy of a notification to the Governor of the State to which the individual will be transferred, to the Mayor of the District of Columbia if the individual will be transferred to the District of Columbia, or to any United States territories with a certification by the Attorney General of the United States in classified form at least 14 days prior to such transfer (together with supporting documentation and justification) that the individual poses little or no security risk to the United States.

(7) An assessment of any risk to the national security of the United States or its citizens, including members of the Armed Services of the United States, that is posed by such transfer and the actions taken to mitigate such risk.

(e) None of the funds made available in this or any other Act may be used to transfer or release an individual detained at Naval Station, Guantanamo Bay, Cuba, as of June 24, 2009, to the country of such individual's nationality or last habitual residence or to any other country other than the United States or to a freely associated State, unless the President submits to the Congress, in classified form, at least 15 days prior to such transfer or release, the following information:

(1) The name of any individual to be transferred or released and the country or the freely associated State to which such individual is to be transferred or released.

(2) An assessment of any risk to the national security of the United States or its citizens, including members of the Armed Services of the United States, that is posed by such transfer or release and the actions taken to mitigate such risk.

(3) The terms of any agreement with the country or the freely associated State for the acceptance of such individual, including the amount of any financial assistance related to such agreement.

(f) In this section, the term ''freely associated States'' means the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and the Republic of Palau.

(g) Prior to the termination of detention operations at Naval Station, Guantanamo Bay, Cuba, the President shall submit to the Congress a report in classified form describing the disposition or legal status of each individual detained at the facility as of the date of enactment of this Act.

SEC. 9012. (a) FUNDING FOR OUTREACH AND REINTEGRATION SERVICES UNDER YELLOW RIBBON REINTEGRATION PROGRAM.—Of the amounts appropriated or otherwise made available by title IX, up to $20,000,000 may be available for outreach and reintegration services under the Yellow Ribbon Reintegration Program under section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 125; 10 U.S.C. 10101 note).

(b) SUPPLEMENT NOT SUPPLANT.—The amount made available by subsection (a) for the services described in that subsection is in addition to any other amounts available in this Act for such services.

This division may be cited as the ''Department of Defense Appropriations Act, 2010''.

DIVISION B—OTHER MATTERS

SEC. 1001. There are hereby appropriated such sums as may be necessary, for an additional amount for ''Food and Nutrition Service—Supplemental Nutrition Assistance Program'' for necessary current year expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.): *Provided*, That such amount shall be used only in such amounts and at such times as may become necessary to carry out program operations: *Provided further*, That amounts so appropriated are designated as emergency requirements and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 1002. (a) IN GENERAL.—For the costs of State administrative expenses associated with administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), there are hereby appropriated $400,000,000, which shall remain available until September 30, 2011.

(b) ALLOCATION OF FUNDS.—Funds described in subsection (a) shall be made available as grants to State agencies as follows—

(1) 75 percent of the amounts available shall be allocated to States based on the share of each State of households that participate in the supplemental nutrition assistance program as reported to the Department of Agriculture for the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of enactment) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h));

(2) 25 percent of the amounts available shall be allocated to States based on the increase in the number of households that participate in the supplemental nutrition assistance program as reported to the Department of Agriculture over the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of enactment) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)); and

(3) Not later than 60 days after the date of enactment of this Act, the Secretary shall make available to States amounts based on paragraphs (1) and (2) of this subparagraph.

(c) REALLOCATION OF FUNDS.—Funds unobligated at the State level in fiscal year 2010 may be recovered and reallocated to the States in fiscal year 2011.

(d) EMERGENCY DESIGNATION.—Amounts in this section are designated as emergency requirements and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 1003. (a) AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.—

(1) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking ''December 31, 2009'' and inserting ''February 28, 2010''; and

(B) in subsection (e), by striking ''December 31, 2009'' and inserting ''February 28, 2010''.

(2) TERMINATION OF LICENSE.—

(A) TERMINATION.—Section 119 of title 17, United States Code, as amended by paragraph (1), shall cease to be effective on February 28, 2010.

(B) CONFORMING AMENDMENT.—Section 4(a) of the Satellite Home Viewer Act of 1994 (17 U.S.C. 119 note; Public Law 103–369) is repealed.

(b) AMENDMENTS TO COMMUNICATIONS ACT OF 1934.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking ''December 31, 2009'' and inserting ''February 28, 2010''; and

(2) in paragraph (3)(C), by striking ''January 1, 2010'' each place it appears in clauses (ii) and (iii) and inserting ''March 1, 2010''.

(c) EMERGENCY DESIGNATION.—Amounts in this section are designated as emergency requirements and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 1004. (a) USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 195) is amended by striking ''December 31, 2009'' and inserting ''February 28, 2010''.

(b) INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3742; 50 U.S.C. 1801 note) is amended by striking ''December 31, 2009'' and inserting ''February 28, 2010''.

SEC. 1005. Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111–68) is amended by striking ''by substituting'' and all that follows through the period at the end, and inserting ''by substituting February 28, 2010 for the date specified in each such section.''.

SEC. 1006. (a) There is hereby appropriated $125,000,000, for an additional amount for ''Small Business Administration—Business Loans Program Account'' for fee reductions and eliminations under section 501 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) and for the cost of guaranteed loans under section 502 of such division: *Provided*, That such cost shall be as defined in section 502 of the Congressional Budget Act of 1974.

(b) Section 502(f) of division A of the American Recovery and Reinvestment Act of 2009 is amended by striking ''the date 12 months after the date of enactment of this Act'' and inserting ''February 28, 2010''.

(c) Amounts in this section are designated as emergency requirements and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 1007. (a) PAYMENT.—The Secretary of the Interior may make a payment to Swain County, North Carolina, in an amount of $12,800,000, in connection with the non-construction of the North Shore Road: *Provided*, That $4,000,000 shall be available for obligation upon enactment of this Act: *Provided further*, That remaining amounts shall not be available for obligation until 120 days following signature of an agreement between the Secretary of the Interior, Swain County, the State of North Carolina, and the Tennessee Valley Authority that supersedes the agreement of July 30, 1943, related to the construction of North Shore Road between the Secretary, the County, the State, and the Authority. For this payment, there is hereby appropriated $6,800,000, to remain available until expended, and an amount of $6,000,000 from unobligated balances available to the Department of the Interior from prior appropriations to the ''Construction'' account for the National Park Service.

(b) RESCISSION.—Of the funds appropriated in the Department of Transportation and Related Agencies Appropriations Act, 2001 (Public Law 106–346), in section 378 for construction of, and improvements to, North Shore Road in Swain County, North Carolina, $6,800,000 is hereby permanently rescinded.

SEC. 1008. (a) For purposes of the continued extension of surface transportation programs and related authority to make expenditures from the Highway Trust Fund and other trust funds under sections 157 through 162 of the Continuing Appropriations Resolution, 2010, the date specified in section 106(3) of such resolution shall be deemed to be February 28, 2010.

(b) Section 158(c) is amended by striking the period at the end and inserting ''except for the rescission made by section 123 of division I of the Omnibus Appropriations Act,

2009. The amount made available for each of the apportioned Federal-aid highway programs under subsection (a) shall be reduced by an amount equaling $33,401,492 multiplied by the amount calculated under subsection (a) and divided by $23,941,505,262''.

SEC. 1009. (a)(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking ''December 31, 2009'' each place it appears and inserting ''February 28, 2010'';

(B) in the heading for subsection (b)(2), by striking ''DECEMBER 31, 2009'' and inserting ''FEBRUARY 28, 2010''; and

(C) in subsection (b)(3), by striking ''May 31, 2010'' and inserting ''July 31, 2010''.

(2) Section 2002(e) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

(A) in paragraph (1)(B), by striking ''before January 1, 2010'' and inserting ''on or before February 28, 2010'';

(B) in the heading for paragraph (2), by striking ''JANUARY 1, 2010'' and inserting ''FEBRUARY 28, 2010''; and

(C) in paragraph (3), by striking ''June 30, 2010'' and inserting ''August 31, 2010''.

(3) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking ''January 1, 2010'' each place it appears and inserting ''February 28, 2010''; and

(B) in subsection (c), by striking ''June 1, 2010'' and inserting ''July 31, 2010''.

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''May 30, 2010'' and inserting ''July 31, 2010''.

(b) Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking ''by reason of'' and all that follows and inserting the following: ''by reason of—

''(A) the amendments made by section 2001(a) of the Assistance for Unemployed Workers and Struggling Families Act;

''(B) the amendments made by sections 2 through 4 of the Worker, Homeownership, and Business Assistance Act of 2009; and

''(C) the amendments made by section 1009 of the Department of Defense Appropriations Act, 2010; and''.

(c) Amounts in this section are designated as emergency requirements and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 1010. (a) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended by striking ''December 31, 2009'' and inserting ''February 28, 2010''.

(b) EXTENSION OF MAXIMUM DURATION OF ASSISTANCE.—Subsection (a)(2)(A)(ii)(I) of such section is amended by striking ''9 months'' and inserting ''15 months''.

(c) RULES RELATED TO 2009 EXTENSION.—Subsection (a) of such section is further amended by adding at the end the following:

''(16) RULES RELATED TO 2009 EXTENSION.—

''(A) ELECTION TO PAY PREMIUMS RETROACTIVELY AND MAINTAIN COBRA COVERAGE.—In the case of any premium for a period of coverage during an assistance eligible individual's transition period, such individual shall be treated for purposes of any COBRA continuation provision as having timely paid the amount of such premium if—

''(i) such individual was covered under the COBRA continuation coverage to which such premium relates for the period of coverage immediately preceding such transition period, and

''(ii) such individual pays, not later than 60 days after the date of the enactment of this paragraph (or, if later, 30 days after the date of provision of the notification required under subparagraph (D)(ii)), the amount of such premium, after the application of paragraph (1)(A).

''(B) REFUNDS AND CREDITS FOR RETROACTIVE PREMIUM ASSISTANCE ELIGIBILITY.—In the case of an assistance eligible individual who pays, with respect to any period of COBRA continuation coverage during such individual's transition period, the premium amount for such coverage without regard to paragraph (1)(A), rules similar to the rules of paragraph (12)(E) shall apply.

''(C) TRANSITION PERIOD.—

''(i) IN GENERAL.—For purposes of this paragraph, the term 'transition period' means, with respect to any assistance eligible individual, any period of coverage if—

''(I) such period begins before the date of the enactment of this paragraph, and

''(II) paragraph (1)(A) applies to such period by reason of the amendment made by section 1010(b) of the Department of Defense Appropriations Act, 2010.

''(ii) CONSTRUCTION.—Any period during the period described in subclauses (I) and (II) of clause (i) for which the applicable premium has been paid pursuant to subparagraph (A) shall be treated as a period of coverage referred to in such paragraph, irrespective of any failure to timely pay the applicable premium (other than pursuant to subparagraph (A)) for such period.

''(D) NOTIFICATION.—

''(i) IN GENERAL.—In the case of an individual who was an assistance eligible individual at any time on or after October 31, 2009, or experiences a qualifying event (consisting of termination of employment) relating to COBRA continuation coverage on or after such date, the administrator of the group health plan (or other entity) involved shall provide an additional notification with information regarding the amendments made by section 1010 of the Department of Defense Appropriations Act, 2010, within 60 days after the date of the enactment of such Act or, in the case of a qualifying event occurring after such date of enactment, consistent with the timing of notifications under paragraph (7)(A).

''(ii) TO INDIVIDUALS WHO LOST ASSISTANCE.—In the case of an assistance eligible individual described in subparagraph (A)(i) who did not timely pay the premium for any period of coverage during such individual's transition period or paid the premium for such period without regard to paragraph (1)(A), the administrator of the group health plan (or other entity) involved shall provide to such individual, within the first 60 days of such individual's transition period, an additional notification with information regarding the amendments made by section 1010 of the Department of Defense Appropriations Act, 2010, including information on the ability under subparagraph (A) to make retroactive premium payments with respect to the transition period of the individual in order to maintain COBRA continuation coverage.

''(iii) APPLICATION OF RULES.—Rules similar to the rules of paragraph (7) shall apply with respect to notifications under this subparagraph.''.

(d) CLARIFICATION THAT ELIGIBILITY AND NOTICE IS BASED ON TIMING OF QUALIFYING EVENT.—Subsection (a) of such section is amended—

(1) in paragraph (3)(A)—

(A) by striking ''at any time'' and inserting ''such qualified beneficiary is eligible for COBRA continuation coverage related to a qualifying event occurring''; and

(B) by striking '', such qualified beneficiary is eligible for COBRA continuation coverage''; and

(2) in paragraph (7)(A), by striking ''become entitled to elect COBRA continuation coverage'' and inserting ''have a qualifying event relating to COBRA continuation coverage''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 to which they relate.

(f) EMERGENCY DESIGNATIONS.—

(1) IN GENERAL.—Amounts in this section are designated as emergency requirements and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(2) PAYGO.—All applicable provisions in this section are designated as an emergency for purposes of pay-as-you-go principles.

SEC. 1011. (a) IN GENERAL.—Section 1848(d) of the Social Security Act (42 U.S.C. 1395w–4(d)) is amended by adding at the end the following new paragraph:

''(10) UPDATE FOR PORTION OF 2010.—

''(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), and (9)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2010 for the period beginning on January 1, 2010, and ending on February 28, 2010, the update to the single conversion factor shall be 0 percent for 2010.

''(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR REMAINING PORTION OF 2010 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for the period beginning on March 1, 2010, and ending on December 31, 2010, and for 2011 and subsequent years as if subparagraph (A) had never applied.''.

(b) FUNDING FROM MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of such Act (42 U.S.C. 1395iii(b)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking ''$22,290,000,000'' and inserting ''$20,740,000,000''; and

(B) by striking ''and'' at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

''(B) fiscal year 2015, $550,000,000; and''.

SEC. 1012. Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not publish updated poverty guidelines for 2010 under section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)) before March 1, 2010, and the poverty guidelines published under such section on January 23, 2009, shall remain in effect until updated poverty guidelines are published.

SEC. 1013. From the ''National Telecommunications and Information Administration—Digital-to-Analog Converter Box Program'' in the Department of Commerce, $128,000,000 is hereby rescinded.

SEC. 1014. The explanatory statement regarding this Act printed in the House of Representatives section of the Congressional Record on or about December 16, 2010, by the Chairman of the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

The SPEAKER pro tempore. The motion shall be debatable for 1 hour

equally divided and controlled by the Chair and ranking minority member of the Committee on Appropriations.

The gentleman from Pennsylvania (Mr. MURTHA) and the gentleman from Florida (Mr. YOUNG) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. MURTHA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MURTHA. I yield myself such time as I may consume.

Madam Speaker, Members of the House, this is the largest appropriations bill that we have ever handled. It was completely bipartisan. We never did anything without working together. It is basically the same bill we voted on before it went to the Senate but with a few minor changes. I am pleased to say that we made some conciliatory changes with the White House and also with the Senate. This, as a matter of fact, is $625 billion. The House passed $636 billion. It pays for first-class medical care for military personnel.

I have to say I don't usually talk on any one thing, but having been out at Bethesda in intensive care for 2 days, I have to endorse the money that we have spent on the care at Bethesda. They did a marvelous job, and I am so pleased about the way the money is being handled out there.

Medical research, of course, the committee under my leadership and under the leadership of JERRY LEWIS and BILL YOUNG, has always been in the forefront. There are peer-reviewed programs, which have turned out to be as good as any programs you will find any place. We are supporting military families, operations and maintenance, civilian workforce, and insourcing. We are trying to reduce the contractors, and we are struggling in doing that. The inspector of general oversight, we worked at that for 2 or 3 years. This bill includes the MRAP program and $526 million for situational awareness.

In other words, this is as good a bill as we could come up with given the amount of money that was apportioned to us.

The Fiscal Year 2010 Defense Appropriations Bill puts troops first, ensuring their readiness, providing them with first class weapons and equipment, and ensuring the availability of care and support for their families.

The bill makes critical investments in the health, well-being and readiness of our armed forces; addressing issues raised by service members, their families, and Department of Defense officials in testimony before the Congress, and discovered through visits to military bases across the United States and overseas. The bill also reins in the use of contractors and begins to return inherently governmental functions to Department of Defense personnel.

For the first time since the beginning of operations in Iraq, this bill includes funding for Overseas Contingency Operations in Afghanistan and Iraq for the upcoming fiscal year; providing $128.3 billion to support current operations, and to meet the needs of our troops in the field and their families here at home. The bill does not address the President's new Afghanistan security strategy because the Administration has yet to request funding for that initiative.

[Bill total in billions]

2009 Total Enacted	$625.3
President's Request	640.1
House Passed	636.3
Senate Passed	636.3
2010 Total Bill	636.3

Military Personnel and Pay: The bill provides a 3.4 percent military pay increase, 0.5 percent above the request. The bill also includes $1 billion pursuant to an amended budget request in order to increase U.S. Army troop strength.

First Class Medical Care: The bill recommends a total of $29.2 billion for the Defense Health Program, $3 billion above fiscal year 2009 and $1 billion above the 2010 request. The increase includes $307 million above the request to provide for shortfalls in the TRICARE program. The bill also includes $300 million above the request for transportation infrastructure issues related to base closure.

To provide quality medical care for service members and their families, and address the serious financial challenges facing the Defense Health Program, the bill recommends the following funding:

HIV Research	$20,000,000
Wound Care Research	13,000,000
Traumatic Brain Injury and Psychological Health Research ($372m budget + $120m over budget)	120,000,000
Global HIV/AIDS Prevention	10,000,000
Peer-Reviewed Medical Research Program	50,000,000
Peer-Reviewed Breast Cancer Research	150,000,000
Peer-Reviewed Ovarian Cancer Research Program	18,750,000
Peer-Reviewed Prostate Cancer Research Program	80,000,000

Supporting Military Families: The bill provides greater support for military families. The bill includes funding for quality child care, job training for spouses, and expanded counseling and outreach to families that have experienced the separation and stress of war. The bill fully funds $472.4 million for Family Advocacy programs and fully funds Family Support and Yellow Ribbon programs.

Operation and Maintenance: The bill recommends $154 billion for operation and maintenance, an increase of $1.3 billion above the fiscal year 2009 enacted level. The recommendation includes funding above the budget request for the following items:

Hybrid Operations Readiness Training (Hybrid—DoD's new terminology for full-spectrum training)	$43,000,000
Army Helicopter Readiness Training	142,000,000
Navy Aircraft Depot Maintenance	35,000,000
Environmental Restoration	32,500,000

The recommendation rebalances funding from preparing for Cold War-era types of conflicts to the highest priority readiness requirements for the hybrid operations that the military services will be facing for the foreseeable future. The bill also includes adjustments based on trends in DoD budget execution.

Civilian Workforce and In-Sourcing: The bill supports increased funding for DoD civilian personnel to in-source workload. The Department estimates that every position converted from contract to federal civilian saves on average $44,000 per year. Additionally, the bill includes general provisions to suspend further conversions by the Department of Defense from government functions to contractors.

The bill also includes $100 million, as requested, to fund further development and training for the DoD acquisition workforce.

Inspector General Oversight: the bill includes $288 million, $16 million above the request, for the Inspector General to hire additional investigators to ensure proper oversight of DoD acquisition and contracting.

Procurement Programs: The bill recommends $104.4 billion for procurement, an increase of $3.46 billion above the fiscal year 2009 enacted level and a decrease of $816 million below the 2010 request. The bill includes:

$6.8 billion, the requested amount, for the procurement of 30 F–35 Lightning Aircraft, 16 Short Take-off and Vertical Landing variants for the Marine Corps, 4 Carrier variants for the Navy, and 10 conventional variants for the Air Force.

$465 million above the request to continue development and initial procurement of the Alternative Engine for the Joint Strike Fighter.

$2.5 billion above the request for procurement of 10 additional C–17 aircraft.

The bill also includes:

$6.3 billion for the Mine Resistant Ambush Protected Vehicle Fund, an increase of $825 million above the request.

$526 million as requested for Situational Awareness upgrades to 353 Bradley Fighting Vehicles.

$498 million for the procurement of Family of Medium Tactical Vehicles.

$613 million for the procurement of Family of Heavy Tactical Vehicles.

$15 billion, $120 million above the request, for Navy Shipbuilding and Conversion and the National Defense Sealift Fund for the procurement of 7 Navy ships, including: one DDG–51 Guided Missile Destroyer; one SSN–774 Attack Submarine; two Littoral Combat Ships; and one Intra-theater Connector Ship (joint high speed vessel to move personnel and equipment within theater).

Additionally, this funding provides for the final increments of funding for the CVN–78 Aircraft Carrier, the third DDG–1000 Guided Missile Destroyer, and the tenth LPD–17 Amphibious Transport Dock.

$30 million, not requested, for the shipbuilding loan guarantee program to assist in stimulating the domestic shipbuilding industry.

$1.5 billion for the procurement of 18 F/A–18E/F Super Hornet Tactical aircraft, nine above the request.

$1.6 billion, the requested amount for 22 EA–18G Growler electronic attack aircraft.

$2.7 billion for the procurement of 30 MV–22 and five CV–22 Osprey aircraft.

$950 million for National Guard and Reserve Equipment.

Research and Development: The bill recommends $80.5 billion for research and development, an increase of $17 million above the fiscal year 2009 enacted level, and a $2 billion increase over the fiscal year 2010 request. Major funding items include:

$4 billion for the continued development of the F–35 Lightning Joint Strike Fighter aircraft, $430 million above the President's request.

$130 million for Presidential Helicopter, of which $100 million is for technology capture to recoup investments in research and development of the VH–71, an increase of $44.8 million above the request.

$306 million for the development of the Next Generation Aerial Refueling Aircraft.

$62 million for JSTARS re-engineering research and development, an increase of $46 million above the request.

$202 million for the Israeli Cooperative Program (Arrow). The recommendation is $82.8 million above the President's request.

$50.5 million, the President's request for Ballistic Missile Defense European Capability.

$2.2 billion for the continued development of the restructured Future Combat Systems Program.

$1.2 billion for the continued development of the P–8A Multi-mission Maritime Aircraft.

$387.5 million, the President's request, starting development of the replacement for the Ohio class ballistic missile submarine.

$526 million for the continued development of the DDG–1000 Guided Missile Destroyer.

Overseas Contingency Operations: The recommendation addresses a number of policy issues concerning operations in Iraq and Afghanistan including:

A general provision prohibiting the establishment of permanent bases in Iraq or Afghanistan;

A general provision prohibiting the torture of detainees held in U.S. custody;

The bill provides $1.2 billion, a reduction of $300 million from the request for the Commanders Emergency Response Program (CERP) authority and fences $500 million pending a spending plan from the Department of Defense; and

Provides no funds for the closure of the detention facility at Guantanamo Naval base.

EXPLANATORY STATEMENT OF HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 3326—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

DIVISION A DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, FISCAL YEAR 2010

Following is an explanation of the effects of Division A, which makes appropriations for the Department of Defense for fiscal year 2010. As provided in Section 8124 of the consolidated bill, this explanatory statement shall have the same effect with respect to the allocation of funds and the implementation of this as if it were a joint explanatory statement of a committee of the conference.

The recommendation on the Department of Defense Appropriations Act, 2010, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 111–230 and Senate Report 111–74 should be complied with unless specifically addressed to the contrary in the accompanying bill and explanatory statement.

The Senate amendment deleted the entire House bill after the enacting clause and inserted new language. The recommendation includes revised language.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

For the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2010, the related classified annexes and explanatory statements, and the P–1 and R–1 budget justification documents as subsequently modified by congressional action. The following exception to the above definition shall apply: for the military personnel and the operation and maintenance accounts, for which the term ''program, project, and activity'' is defined as the appropriations accounts contained in the Department of Defense Appropriations Act.

At the time the President submits the budget for fiscal year 2011, the Secretary of Defense is directed to transmit to the congressional defense committees budget justification documents to be known as the ''M–1'' and ''0–1'' which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel and operation and maintenance in any budget request, or amended budget request, for fiscal year 2011.

CLASSIFIED ANNEX

Adjustments to classified programs are addressed in the accompanying classified annex.

CONGRESSIONAL SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase ''only for'' or ''only to'' are congressional special interest items for purposes of the Base for Reprogramming (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in these materials.

REPROGRAMMING GUIDANCE

The Department of Defense is directed to follow the reprogramming guidance for acquisition accounts as contained herein under titles III and IV. For operation and maintenance accounts, the Department shall follow the reprogramming guidelines contained herein under title II. The dollar threshold for reprogramming funds shall remain at $15,000,000 for operation and maintenance; $20,000,000 for procurement; and $10,000,000 for research, development, test and evaluation.

Also, the Under Secretary of Defense (Comptroller) is directed to continue to provide the congressional defense committees quarterly, spreadsheet-based DD Form 1416 reports for service and defense-wide accounts in titles I, II, III and IV of this Act. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. The percentage change limitation applies to both the program increases and decreases. Additionally, this percentage change applies to the program base value at the time the below threshold movement of funds is executed. These thresholds are cumulative from the base for reprogramming as made by any adjustment action. Therefore, if the combined value of transfers into or out of operation and maintenance (0–1), a procurement (P–1) or research, development, test and evaluation (R–1) line exceed the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in these materials.

FUNDING INCREASES

The funding increases outlined in the tables for each appropriation account shall be provided only for the specific purposes indicated in the table.

JOINT SURVEILLANCE–TARGET ATTACK RADAR SYSTEM (JSTARS) PROGRAM

The Department of Defense decision to proceed with the JSTARS re-engining program is supported in the recommendation. It is noted that the JSTARS program has been used as a source of funds for reprogrammings in the past. The Air Force is encouraged to restore those prior year funds if additional resources are needed. The recommendation provides, $115,900,000, an increase of $46,000,000, in the Research, Development, Test and Evaluation funding and provides $54,000,000 in the Aircraft Procurement, Air Force appropriation.

The recommendation does not include language that restricts the obligation of funds for the JSTARS re-engining program, as provided in the Senate report.

In addition, the Air Force is not directed to transfer a SYERS–3 sensor to.complete the SYERS Demonstration Program. The Air Force should have the sensor for an adequate time, and the necessary financial resources have already been appropriated to ensure completion of the demonstration program. The Secretary of the Air Force is directed to submit a written notification to the congressional defense committees on the status of the demonstration program not later than 60 days after the enactment of this Act.

COMBAT AIR FORCE RESTRUCTURE

The lack of detail and analysis provided to the Congress regarding the Air Force's Combat Air Force restructure plan that would retire 248 legacy F–15, F–16 and A–10 aircraft is concerning. Therefore, it is directed that the reports stipulated in Sec. 1075 of the Conference Report accompanying the National Defense Authorization Act of Fiscal Year 2010 also be transmitted to the Committees on Appropriations of the House and Senate.

Additionally, there is concern with the personnel costs and potential acquisition costs associated with the Air Force proposal to remove the training of F–15 pilots and related personnel from Tyndall Air Force Base. The Secretary of the Air Force is directed to provide a cost-benefit analysis of this proposal regarding Tyndall Air Force Base and Kingsley Field in Klamath Falls which shall include an analysis of factors impacting F–15 training quantity and quality at each location, to include training synergies, airspace access and availability. The report shall identify and explain the justification for where F–15 Basic Crew Chief Training, Air Control Squadron Training and Intelligence Formal Training will be established and maintained. The report shall include analysis on simulator and ancillary training access, expected effect on the quality and experience of the instructor base, future military construction requirements and special considerations and costs required due to the differing training environments and climatology at each base.

Moreover, the Department is requested to identify airfields that share runways for

both Air Force and commercial operations within the continental United States. The Department is requested to include Air Force policy on and analysis of the training and operational mission impacts at bases with shared runways.

Additionally, the Secretary of the Air Force is directed to conduct an independent review by a Federally Funded Research and Development Center (FFRDC) on the impact of the restructure on the Nation's combat air forces. The Secretary of the Air Force is directed to provide the three described reports on April 1, 2010. The Secretary of the Air Force is further directed that no funds may be obligated on executing the Combat Air Force restructure until submission to the congressional defense committees of all directed reports.

CONTRACTING FRAUD

The numerous reports and allegations of defense contractors defrauding the government is concerning. Therefore, the Secretary of Defense is encouraged to strengthen policies and safeguards against such abuse. The Secretary of Defense is directed, in coordination with the Department of Defense Inspector General, to report to the congressional defense committees on contracting fraud. The report shall include an assessment of the total value of Department of Defense contracts entered into with contractors that have been indicted for, settled charges of, been fined by any Federal department or agency for, or been convicted of fraud in connection with any contract or other transaction entered into with the Federal Government over the past ten years. The report shall also include recommendations on how to penalize contractors who are repeatedly involved in contract fraud allegations. Finally, the report shall describe the actions taken to strengthen Department policies and safeguards against contractor fraud. The report should be submitted not later than March 15, 2010.

2001 NUCLEAR POSTURE REVIEW

Section 1041(c) of P.L. 106–398, the National Defense Authorization Act for Fiscal Year 2001, required the Secretary of Defense to submit to Congress, in unclassified and classified forms as necessary, a report on the results of the 2001 Nuclear Posture Review. The Secretary of Defense is encouraged to provide the unclassified report of the 2001 Nuclear Posture Review to the congressional defense committees as soon after submission of the 2009 Nuclear Posture Review as is possible.

SENIOR MENTORS PROGRAM

There is deep concern over the Department of Defense's Senior Mentors Program. The Department spends millions of dollars each year to place retired general officers on contract to act as advisors and mentors. It is of concern that the Department uses large defense industry firms as the prime contractor to serve as third party ''go betweens.'' There is also concern that the contracts and task orders appear to be written almost as personal services contracts. Therefore, the Department of Defense Inspector General is directed to review the Senior Mentors Program and report to the congressional defense committees no later than March 31, 2010.

INTELLIGENCE, SURVEILLANCE AND RECONNAISSANCE

Senate Report 111–20 directed the Secretary of Defense to submit a report to the congressional defense committees on the strategy to transition the responsibilities of the Intelligence, Surveillance and Reconnaissance (ISR) Task Force. Although the report was supposed to have been submitted no later than October 1, 2009, the Department has only recently begun to address this reporting requirement.

The recommendation reiterates the concerns leading to the reporting requirement, and the Secretary of Defense is directed to submit the report within 30 days of enactment of this Act.

Furthermore, over the past two years, Congress has approved significant increases in ISR collection, processing, and dissemination in support of overseas contingency operations. The Secretary of Defense is directed to provide a classified report to the congressional defense committees within 90 days of enactment of this Act that describes the deployment of additional ISR capabilities, particularly tactical signals intelligence and full motion video, to support combat operations in Afghanistan. The report should address the adequacy of these capabilities to support troop commitments to Afghanistan as well as the plans to correct any shortfalls.

TITLE I - MILITARY PERSONNEL

For Military Personnel, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
RECAPITULATION				
MILITARY PERSONNEL, ARMY	41,312,448	39,901,547	41,267,448	41,005,612
MILITARY PERSONNEL, NAVY	25,504,472	25,095,581	25,440,472	25,289,049
MILITARY PERSONNEL, MARINE CORPS	12,915,790	12,528,845	12,883,790	12,799,990
MILITARY PERSONNEL, AIR FORCE	26,439,761	25,938,850	26,378,761	26,174,136
RESERVE PERSONNEL, ARMY	4,336,656	4,308,513	4,286,656	4,304,713
RESERVE PERSONNEL, NAVY	1,938,166	1,918,111	1,905,166	1,909,301
RESERVE PERSONNEL, MARINE CORPS	617,500	610,580	611,500	613,500
RESERVE PERSONNEL, AIR FORCE	1,607,712	1,600,462	1,584,712	1,589,412
NATIONAL GUARD PERSONNEL, ARMY	7,621,488	7,525,628	7,535,088	7,546,905
NATIONAL GUARD PERSONNEL, AIR FORCE	2,970,949	2,949,899	2,923,599	2,938,229
GRAND TOTAL, MILITARY PERSONNEL	125,264,942	122,378,016	124,817,192	124,170,847

Summary of Military Personnel End Strength

	Fiscal Year 2010		
	Budget Request	Recommendation	Change from Request
Active Forces (End Strength)			
Army	562,400	562,400	-
Navy	328,800	328,800	-
Marine Corps	202,100	202,100	-
Air Force	331,700	331,700	-
Total, Active Forces	1,425,000	1,425,000	-
Guard and Reserve Forces (End Strength)			
Army Reserve	205,000	205,000	-
Navy Reserve	65,500	65,500	-
Marine Corps Reserve	39,600	39,600	-
Air Force Reserve	69,500	69,500	-
Army National Guard	358,200	358,200	-
Air National Guard	106,700	106,700	-
Total, Selected Reserve	844,500	844,500	0
Total, Military Personnel	2,269,500	2,269,500	0

Summary of Guard and Reserve Full-Time Support

	Fiscal Year 2010		
	Budget Request	Recommendation	Change from Request
Army Reserve:			
Active Guard and Reserve	16,261	16,261	-
Technicians	8,154	8,395	+241
Navy Reserve:			
Active Reserve	10,818	10,818	-
Marine Corps Reserve:			
Active Reserve	2,261	2,261	-
Air Force Reserve:			
Active Guard and Reserve	2,896	2,896	-
Technicians	10,417	10,417	-
Army National Guard:			
Active Guard and Reserve	32,060	32,060	-
Technicians	26,901	27,210	+309
Air National Guard:			
Active Guard and Reserve	14,555	14,555	-
Technicians	22,313	22,313	-
Totals:			
Active Guard and Reserve/Active Reserve	78,851	78,851	-
Technicians	67,785	68,335	-
Total Full-Time Support	146,636	147,186	+550

CASH INCENTIVES

The recommendation supports the services' use of cash incentives to meet the extraordinary recruiting and retention challenges they have faced since September 11, 2001. The services are commended for their successful efforts to grow and maintain the finest fighting force in the world under very difficult circumstances. Because the services are generally meeting or exceeding their recruitment and retention goals, it is the belief that now is an opportune time to examine whether the use and size of these cash incentives can be reduced to maximize their manning utility while lowering costs. Therefore, the Secretary of Defense is directed to provide a report to the Committee on Appropriations of both the House of Representatives and the Senate that describes these cash incentives, to include the number of cash incentives used for recruiting and retention, the average amount provided for each Military Occupational Specialty (MOS), and the length of contract when these incentive options are accepted by recruits and those reenlisting. This report shall also include a quantitative analysis of the optimal size of these incentives and an actuarially-based estimate of the impact on recruiting and retention of a 10 percent and a 20 percent reduction of the amounts provided per incentive. This report shall be submitted no later than 120 days after the enactment of this Act.

MILITARY PERSONNEL, ARMY

For Military Personnel, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
50 MILITARY PERSONNEL, ARMY				
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS				
150 BASIC PAY	6,117,038	6,117,038	6,117,038	6,117,038
200 RETIRED PAY ACCRUAL	1,975,804	1,975,804	1,975,804	1,975,804
250 BASIC ALLOWANCE FOR HOUSING	1,758,671	1,758,671	1,758,671	1,758,671
300 BASIC ALLOWANCE FOR SUBSISTENCE	257,783	257,783	257,783	257,783
350 INCENTIVE PAYS	94,613	94,613	94,613	94,613
400 SPECIAL PAYS	334,621	310,849	334,621	334,621
450 ALLOWANCES	187,541	187,541	187,541	187,541
500 SEPARATION PAY	55,893	55,893	55,893	55,893
550 SOCIAL SECURITY TAX	466,202	466,202	466,202	466,202
600 TOTAL, BUDGET ACTIVITY 1	11,248,166	11,224,394	11,248,166	11,248,166
650 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
700 BASIC PAY	13,502,642	13,502,642	13,502,642	13,502,642
750 RETIRED PAY ACCRUAL	4,361,354	4,361,354	4,361,354	4,361,354
800 BASIC ALLOWANCE FOR HOUSING	4,468,975	4,468,975	4,468,975	4,468,975
850 INCENTIVE PAYS	107,268	107,268	107,268	107,268
900 SPECIAL PAYS	1,235,924	1,087,310	1,235,924	1,220,924
950 ALLOWANCES	843,556	843,556	843,556	843,556
1000 SEPARATION PAY	236,462	236,462	236,462	236,462
1050 SOCIAL SECURITY TAX	1,032,953	1,032,953	1,032,953	1,032,953
1100 TOTAL, BUDGET ACTIVITY 2	25,789,134	25,640,520	25,789,134	25,774,134
1150 ACTIVITY 3: PAY AND ALLOW OF CADETS				
1200 ACADEMY CADETS	73,317	73,317	73,317	73,317
1250 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
1300 BASIC ALLOWANCE FOR SUBSISTENCE	1,355,930	1,355,930	1,355,930	1,355,930
1350 SUBSISTENCE-IN-KIND	948,208	948,208	948,208	948,208
1400 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	721	721	721	721
1450 TOTAL, BUDGET ACTIVITY 4	2,304,859	2,304,859	2,304,859	2,304,859

(In thousands of dollars)

	Budget	House	Senate	Recommendation
1500 ACTIVITY 5: PERMANENT CHANGE OF STATION				
1550 ACCESSION TRAVEL	227,127	227,127	227,127	227,127
1600 TRAINING TRAVEL	113,575	113,575	113,575	113,575
1650 OPERATIONAL TRAVEL	373,132	373,132	373,132	373,132
1700 ROTATIONAL TRAVEL	682,978	682,978	682,978	682,978
1750 SEPARATION TRAVEL	198,509	198,509	198,509	198,509
1800 TRAVEL OF ORGANIZED UNITS	12,702	12,702	12,702	12,702
1850 NON-TEMPORARY STORAGE	8,924	8,924	8,924	8,924
1900 TEMPORARY LODGING EXPENSE	37,314	37,314	37,314	37,314
1950 TOTAL, BUDGET ACTIVITY 5	1,654,261	1,654,261	1,654,261	1,654,261
2000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
2050 APPREHENSION OF MILITARY DESERTERS	1,452	1,452	1,452	1,452
2100 INTEREST ON UNIFORMED SERVICES SAVINGS	648	648	648	648
2150 DEATH GRATUITIES	45,500	45,500	45,500	45,500
2200 UNEMPLOYMENT BENEFITS	180,493	180,493	180,493	180,493
2250 EDUCATION BENEFITS	45,288	45,288	45,288	45,288
2300 ADOPTION EXPENSES	264	264	264	264
2350 TRANSPORTATION SUBSIDY	6,684	6,684	6,684	6,684
2400 PARTIAL DISLOCATION ALLOWANCE	326	326	326	326
2450 RESERVE OFFICERS TRAINING CORPS (ROTC)	143,586	143,586	143,586	143,586
2500 JUNIOR ROTC	63,721	63,721	63,721	63,721
2550 TOTAL, BUDGET ACTIVITY 6	487,962	487,962	487,962	487,962
2600 LESS REIMBURSABLES	-245,251	-245,251	-245,251	-245,251
2650 UNDISTRIBUTED ADJUSTMENT	---	-1,238,515	-45,000	-291,836
2700 TOTAL, ACTIVE FORCES, ARMY	41,312,448	39,901,547	41,267,448	41,005,612
6300 TOTAL, MILITARY PERSONNEL, ARMY	41,312,448	39,901,547	41,267,448	41,005,612

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
BA-1: PAY AND ALLOWANCES OF OFFICERS				
SPECIAL PAYS	**334,621**	**310,849**	**334,621**	**334,621**
Hostile Fire Pay - Transferred to Title IX		-4,790		
Hardship Duty Pay - Transferred to Title IX		-7,560		
Foreign Language Proficiency Pay - Transferred to Title IX		-11,422		
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
SPECIAL PAYS	**1,235,924**	**1,087,310**	**1,235,924**	**1,220,924**
Hostile Fire Pay - Transferred to Title IX		-16,374		
Hardship Duty Pay - Transferred to Title IX		-45,000		
Foreign Language Proficiency Pay - Transferred to Title IX		-25,237		
Enlistment Bonus		-18,203		-5,000
Reenlistment Bonus		-43,800		-10,000
UNDISTRIBUTED ADJUSTMENT		**-1,238,515**	**-45,000**	**-291,836**
Authorized Basic Pay Increase		151,485		137,164
Undistributed Transfer to Title IX		-1,390,000		-407,000
Lower than Budgeted Pay Grade Mix			-45,000	-22,000

MILITARY PERSONNEL, NAVY

For Military Personnel, Navy, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
6400 MILITARY PERSONNEL, NAVY				
6450 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS				
6500 BASIC PAY	3,528,733	3,528,733	3,528,733	3,528,733
6550 RETIRED PAY ACCRUAL	1,138,398	1,138,398	1,138,398	1,138,398
6600 BASIC ALLOWANCE FOR HOUSING	1,273,135	1,273,135	1,273,135	1,273,135
6650 BASIC ALLOWANCE FOR SUBSISTENCE	141,347	141,347	141,347	141,347
6700 INCENTIVE PAYS	164,069	164,069	164,069	164,069
6750 SPECIAL PAYS	388,642	384,755	388,642	388,642
6800 ALLOWANCES	112,740	112,740	112,740	112,740
6850 SEPARATION PAY	35,180	35,180	35,180	35,180
6900 SOCIAL SECURITY TAX	268,236	268,236	268,236	268,236
6950 TOTAL, BUDGET ACTIVITY 1	7,050,480	7,046,593	7,050,480	7,050,480
7000 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
7050 BASIC PAY	8,111,240	8,111,240	8,111,240	8,111,240
7100 RETIRED PAY ACCRUAL	2,619,514	2,619,514	2,619,514	2,619,514
7150 BASIC ALLOWANCE FOR HOUSING	3,529,084	3,529,084	3,529,084	3,529,084
7200 INCENTIVE PAYS	102,596	102,596	102,596	102,596
7250 SPECIAL PAYS	927,245	897,284	897,245	897,245
7300 ALLOWANCES	600,091	600,091	596,091	596,091
7350 SEPARATION PAY	155,558	155,558	155,558	155,558
7400 SOCIAL SECURITY TAX	620,511	620,511	620,511	620,511
7450 TOTAL, BUDGET ACTIVITY 2	16,665,839	16,635,878	16,631,839	16,631,839
7500 ACTIVITY 3: PAY AND ALLOWANCES OF MIDSHIPMEN				
7550 MIDSHIPMEN	71,932	71,932	71,932	71,932
7600 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
7650 BASIC ALLOWANCE FOR SUBSISTENCE	700,780	700,780	700,780	700,780
7700 SUBSISTENCE-IN-KIND	382,605	382,605	382,605	382,605
7750 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	11	11	11	11
7800 TOTAL, BUDGET ACTIVITY 4	1,083,396	1,083,396	1,083,396	1,083,396

(In thousands of dollars)

	Budget	House	Senate	Recommendation
7850 ACTIVITY 5: PERMANENT CHANGE OF STATION				
7900 ACCESSION TRAVEL	76,962	76,962	71,962	71,962
7950 TRAINING TRAVEL	71,520	71,520	71,520	71,520
8000 OPERATIONAL TRAVEL	205,398	205,398	205,398	205,398
8050 ROTATIONAL TRAVEL	252,327	252,327	252,327	252,327
8100 SEPARATION TRAVEL	137,129	137,129	127,129	127,129
8150 TRAVEL OF ORGANIZED UNITS	28,136	28,136	28,136	28,136
8200 NON-TEMPORARY STORAGE	7,375	7,375	7,375	7,375
8250 TEMPORARY LODGING EXPENSE	7,328	7,328	7,328	7,328
8300 OTHER	8,579	8,579	8,579	8,579
8350 TOTAL, BUDGET ACTIVITY 5	794,754	794,754	779,754	779,754
8400 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
8450 APPREHENSION OF MILITARY DESERTERS	421	421	421	421
8500 INTEREST ON UNIFORMED SERVICES SAVINGS	1,550	1,550	1,550	1,550
8550 DEATH GRATUITIES	25,400	25,400	25,400	25,400
8600 UNEMPLOYMENT BENEFITS	107,320	107,320	107,320	107,320
8650 EDUCATION BENEFITS	24,538	24,538	24,538	24,538
8700 ADOPTION EXPENSES	372	372	372	372
8750 TRANSPORTATION SUBSIDY	12,710	12,710	12,710	12,710
8800 PARTIAL DISLOCATION ALLOWANCE	572	572	572	572
8900 RESERVE OFFICERS TRAINING CORPS (ROTC)	22,907	22,907	22,907	22,907
8950 JUNIOR R.O.T.C.	13,578	13,578	13,578	13,578
9000 TOTAL, BUDGET ACTIVITY 6	209,368	209,368	209,368	209,368
9050 LESS REIMBURSABLES	-371,297	-371,297	-371,297	-371,297
9100 UNDISTRIBUTED ADJUSTMENT	---	-375,043	-15,000	-166,423
9200 TOTAL, ACTIVE FORCES, NAVY	25,504,472	25,095,581	25,440,472	25,289,049
11000 TOTAL, MILITARY PERSONNEL, NAVY	25,504,472	25,095,581	25,440,472	25,289,049

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
BA-1: PAY AND ALLOWANCES OF OFFICERS				
SPECIAL PAYS	388,642	384,755	388,642	388,642
Hardship Duty Pay - Transferred to Title IX		-899		
Imminent Danger Pay - Transferred to Title IX		-481		
Foreign Language Proficiency Pay - Transferred to Title IX		-2,507		
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
SPECIAL PAYS	927,245	897,284	897,245	897,245
Hardship Duty Pay - Transferred to Title IX		-8,330		
Imminent Danger Pay - Transferred to Title IX		-899		
Foreign Language Proficiency Pay - Transferred to Title IX		-15,000		
Enlistment Bonus		-3,290	-20,000	-20,000
Reenlistment Bonus		-2,442	-10,000	-10,000
ALLOWANCES	600,091	600,091	596,091	596,091
Navy College Fund			-4,000	-4,000
BA-5: PERMANENT CHANGE OF STATION				
ACCESSION TRAVEL	76,962	76,962	71,962	71,962
Excess to Requirement			-5,000	-5,000
SEPARATION TRAVEL	137,129	137,129	127,129	127,129
Excess to Requirement			-10,000	-10,000
UNDISTRIBUTED ADJUSTMENT		-375,043	-15,000	-166,423
Authorized Basic Pay Increase		64,077		64,077
Unexpended/Unobligated Balances		-20,120	-15,000	-17,500
Undistributed Transfer to Title IX		-419,000		-213,000

MILITARY PERSONNEL, MARINE CORPS

For Military Personnel, Marine Corps, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
12000 MILITARY PERSONNEL, MARINE CORPS				
12050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS				
12100 BASIC PAY	1,372,496	1,372,496	1,372,496	1,372,496
12150 RETIRED PAY ACCRUAL	442,305	442,305	442,305	442,305
12200 BASIC ALLOWANCE FOR HOUSING	431,730	431,730	431,730	431,730
12250 BASIC ALLOWANCE FOR SUBSISTENCE	59,245	59,245	59,245	59,245
12300 INCENTIVE PAYS	46,302	46,302	46,302	46,302
12350 SPECIAL PAYS	31,743	16,657	31,743	29,508
12400 ALLOWANCES	33,982	33,982	33,982	33,982
12450 SEPARATION PAY	14,051	14,051	14,051	14,051
12500 SOCIAL SECURITY TAX	104,411	104,411	104,411	104,411
12550 TOTAL, BUDGET ACTIVITY 1	2,536,265	2,521,179	2,536,265	2,534,030
12600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
12650 BASIC PAY	4,817,896	4,817,896	4,817,896	4,817,896
12700 RETIRED PAY ACCRUAL	1,555,752	1,555,752	1,555,752	1,555,752
12750 BASIC ALLOWANCE FOR HOUSING	1,495,914	1,495,914	1,495,914	1,495,914
12800 INCENTIVE PAYS	8,850	8,850	8,850	8,850
12850 SPECIAL PAYS	501,220	472,291	501,220	494,188
12900 ALLOWANCES	264,250	264,250	264,250	264,250
12950 SEPARATION PAY	60,371	60,371	60,371	60,371
13000 SOCIAL SECURITY TAX	368,568	368,568	368,568	368,568
13050 TOTAL, BUDGET ACTIVITY 2	9,072,821	9,043,892	9,072,821	9,065,789
13100 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
13150 BASIC ALLOWANCE FOR SUBSISTENCE	504,437	504,437	504,437	504,437
13200 SUBSISTENCE-IN-KIND	288,477	288,477	288,477	288,477
13250 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	750	750	750	750
13300 TOTAL, BUDGET ACTIVITY 4	793,664	793,664	793,664	793,664

(In thousands of dollars)

	Budget	House	Senate	Recommendation
13350 ACTIVITY 5: PERMANENT CHANGE OF STATION				
13400 ACCESSION TRAVEL	58,170	58,170	58,170	58,170
13450 TRAINING TRAVEL	10,948	10,948	10,948	10,948
13500 OPERATIONAL TRAVEL	118,437	118,437	118,437	118,437
13550 ROTATIONAL TRAVEL	145,384	145,384	145,384	145,384
13600 SEPARATION TRAVEL	63,205	63,205	63,205	63,205
13650 TRAVEL OF ORGANIZED UNITS	1,829	1,829	1,829	1,829
13700 NON-TEMPORARY STORAGE	6,297	6,297	6,297	6,297
13750 TEMPORARY LODGING EXPENSE	13,477	13,477	13,477	13,477
13800 OTHER	427	427	427	9,694
13850 TOTAL, BUDGET ACTIVITY 5	418,174	418,174	418,174	427,441
13900 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
13950 APPREHENSION OF MILITARY DESERTERS	1,786	1,786	1,786	1,786
14000 INTEREST ON UNIFORMED SERVICES SAVINGS	18	18	18	18
14050 DEATH GRATUITIES	17,100	17,100	17,100	17,100
14100 UNEMPLOYMENT BENEFITS	84,241	84,241	84,241	84,241
14150 EDUCATION BENEFITS	3,754	3,754	3,754	3,754
14200 ADOPTION EXPENSES	189	189	189	189
14250 TRANSPORTATION SUBSIDY	2,095	2,095	2,095	2,095
14300 PARTIAL DISLOCATION ALLOWANCE	430	430	430	430
14400 JUNIOR R.O.T.C.	5,414	5,414	5,414	5,414
14450 TOTAL, BUDGET ACTIVITY 6	115,027	115,027	115,027	115,027
14500 LESS REIMBURSABLES	-20,161	-20,161	-20,161	-20,161
14600 UNDISTRIBUTED ADJUSTMENT	---	-342,930	-32,000	-115,800
14650 TOTAL, ACTIVE FORCES, MARINE CORPS	12,915,790	12,528,845	12,883,790	12,799,990
16000 TOTAL, MILITARY PERSONNEL, MARINE CORPS	12,915,790	12,528,845	12,883,790	12,799,990

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
BA-1: PAY AND ALLOWANCES OF OFFICERS				
SPECIAL PAYS	**31,743**	**16,657**	**31,743**	**29,508**
Hardship Duty Pay - Transferred to Title IX		-265		
Imminent Danger Pay - Transferred to Title IX		-8,281		
Foreign Language Proficiency Pay - Transferred to Title IX		-4,305		
Officer Accession Bonus - Transferred to BA-5		-2,235		-2,235
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
SPECIAL PAYS	**501,220**	**472,291**	**501,220**	**494,188**
Hardship Duty Pay - Transferred to Title IX		-2,602		
Imminent Danger Pay - Transferred to Title IX		-7,655		
Foreign Language Proficiency Pay - Transferred to Title IX		-11,640		
Enlistment Bonus - Transferred to BA-5		-7,032		-7,032
BA-5: PERMANENT CHANGE OF STATION				
OTHER	**427**	**427**	**427**	**9,694**
Transfer from BA-1 and BA-2				9,267
UNDISTRIBUTED ADJUSTMENT		**-342,930**	**-32,000**	**-115,800**
Authorized Basic Pay Increase		32,200		32,200
Unexpended/Unobligated Balances		-83,130	-32,000	-40,000
Undistributed Transfer to Title IX		-292,000		-108,000

MILITARY PERSONNEL, AIR FORCE

For Military Personnel, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
17000 MILITARY PERSONNEL, AIR FORCE				
17050 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS				
17100 BASIC PAY	4,652,985	4,652,985	4,652,985	4,652,985
17150 RETIRED PAY ACCRUAL	1,493,832	1,493,832	1,493,832	1,493,832
17200 BASIC ALLOWANCE FOR HOUSING	1,289,006	1,289,006	1,289,006	1,289,006
17250 BASIC ALLOWANCE FOR SUBSISTENCE	185,213	185,213	185,213	185,213
17300 INCENTIVE PAYS	261,459	261,459	261,459	261,459
17350 SPECIAL PAYS	294,879	282,264	294,879	294,879
17400 ALLOWANCES	111,626	111,626	111,626	111,626
17450 SEPARATION PAY	55,780	55,780	55,780	55,780
17500 SOCIAL SECURITY TAX	354,018	354,018	354,018	354,018
17550 TOTAL, BUDGET ACTIVITY 1	8,698,798	8,686,183	8,698,798	8,698,798
17600 ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
17650 BASIC PAY	8,298,263	8,298,263	8,298,263	8,298,263
17700 RETIRED PAY ACCRUAL	2,669,786	2,669,786	2,669,786	2,669,786
17750 BASIC ALLOWANCE FOR HOUSING	2,872,747	2,872,747	2,872,747	2,872,747
17800 INCENTIVE PAYS	35,381	35,381	35,381	35,381
17850 SPECIAL PAYS	379,680	313,334	379,680	379,680
17900 ALLOWANCES	519,792	519,792	519,792	519,792
17950 SEPARATION PAY	128,577	128,577	128,577	128,577
18000 SOCIAL SECURITY TAX	634,817	634,817	634,817	634,817
18050 TOTAL, BUDGET ACTIVITY 2	15,539,043	15,472,697	15,539,043	15,539,043
18100 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS				
18150 ACADEMY CADETS	71,044	71,044	71,044	71,044
18200 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
18250 BASIC ALLOWANCE FOR SUBSISTENCE	868,652	868,652	868,652	868,652
18300 SUBSISTENCE-IN-KIND	192,965	192,965	192,965	192,965
18350 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	155	155	155	155
18400 TOTAL, BUDGET ACTIVITY 4	1,061,772	1,061,772	1,061,772	1,061,772

(In thousands of dollars)

	Budget	House	Senate	Recommendation
18450 ACTIVITY 5: PERMANENT CHANGE OF STATION				
18500 ACCESSION TRAVEL	89,290	89,290	89,290	89,290
18550 TRAINING TRAVEL	71,721	71,721	71,721	71,721
18600 OPERATIONAL TRAVEL	306,516	306,516	306,516	306,516
18650 ROTATIONAL TRAVEL	511,777	511,777	511,777	511,777
18700 SEPARATION TRAVEL	171,642	171,642	171,642	171,642
18750 TRAVEL OF ORGANIZED UNITS	23,317	23,317	23,317	23,317
18800 NON-TEMPORARY STORAGE	41,757	41,757	41,757	41,757
18850 TEMPORARY LODGING EXPENSE	29,590	29,590	29,590	29,590
18900 OTHER	---	---	---	---
18950 TOTAL, BUDGET ACTIVITY 5	1,245,610	1,245,610	1,245,610	1,245,610
19000 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
19050 APPREHENSION OF MILITARY DESERTERS	95	95	95	95
19100 INTEREST ON UNIFORMED SERVICES SAVINGS	1,612	1,612	1,612	1,612
19150 DEATH GRATUITIES	19,900	19,900	19,900	19,900
19200 UNEMPLOYMENT BENEFITS	44,155	44,155	44,155	44,155
19250 SURVIVOR BENEFITS	1,783	1,783	1,783	1,783
19300 EDUCATION BENEFITS	331	331	331	331
19350 ADOPTION EXPENSES	1,092	1,092	1,092	1,092
19400 TRANSPORTATION SUBSIDY	12,034	12,034	12,034	12,034
19450 PARTIAL DISLOCATION ALLOWANCE	1,929	1,929	1,929	1,929
19550 RESERVE OFFICERS TRAINING CORPS (ROTC)	39,397	39,397	39,397	39,397
19600 JUNIOR ROTC	20,019	20,019	20,019	20,019
19650 TOTAL, BUDGET ACTIVITY 6	142,347	142,347	142,347	142,347
19700 LESS REIMBURSABLES	-318,853	-318,853	-318,853	-318,853
19750 UNDISTRIBUTED ADJUSTMENT	---	-421,950	-61,000	-265,625
19800 TOTAL, ACTIVE FORCES, AIR FORCE	26,439,761	25,938,850	26,378,761	26,174,136
21000 TOTAL, MILITARY PERSONNEL, AIR FORCE	26,439,761	25,938,850	26,378,761	26,174,136

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
BA-1: PAY AND ALLOWANCES OF OFFICERS				
SPECIAL PAYS	294,879	282,264	294,879	294,879
Hostile Fire Pay - Transferred to Title IX		-5,501		
Hardship Duty Pay - Transferred to Title IX		-1,808		
Foreign Language Proficiency Pay - Transferred to Title IX		-5,306		
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
SPECIAL PAYS	379,680	313,334	379,680	379,680
Hostile Fire Pay - Transferred to Title IX		-37,935		
Hardship Duty Pay - Transferred to Title IX		-10,848		
Foreign Language Proficiency Pay - Transferred to Title IX		-17,563		
UNDISTRIBUTED ADJUSTMENT		-421,950	-61,000	-265,625
Authorized Basic Pay Increase		52,700		58,700
Unexpended/Unobligated Balances		-143,650		-71,825
Undistributed Transfer to Title IX		-331,000		-222,000
Lower than Budgeted Pay Grade Mix			-61,000	-30,500

RESERVE PERSONNEL, ARMY

For Reserve Personnel, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
23000 RESERVE PERSONNEL, ARMY				
23050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
23100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	1,236,457	1,236,457	1,236,457	1,236,457
23150 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).....	44,224	44,224	44,224	44,224
23200 PAY GROUP F TRAINING (RECRUITS).....	267,251	267,251	267,251	267,251
23250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	8,621	8,621	8,621	8,621
23300 MOBILIZATION TRAINING	17,597	17,597	17,597	17,597
23350 SCHOOL TRAINING.....	187,023	187,023	187,023	187,023
23400 SPECIAL TRAINING.....	272,105	272,105	272,105	272,105
23450 ADMINISTRATION AND SUPPORT.....	2,098,042	2,098,042	2,098,042	2,098,042
23500 EDUCATION BENEFITS.....	65,457	65,457	65,457	65,457
23550 HEALTH PROFESSION SCHOLARSHIP	62,398	62,398	62,398	62,398
23600 OTHER PROGRAMS	77,481	77,481	77,481	77,481
23650 TOTAL, BUDGET ACTIVITY 1.....	4,336,656	4,336,656	4,336,656	4,336,656
23800 UNDISTRIBUTED ADJUSTMENT.....	---	-28,143	-50,000	-31,943
24000 TOTAL RESERVE PERSONNEL, ARMY.....	4,336,656	4,308,513	4,286,656	4,304,713

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
UNDISTRIBUTED ADJUSTMENT		-28,143	-50,000	-31,943
Authorized Basic Pay Increase		14,257		14,257
Unexpended/Unobligated Balances		-42,400	-50,000	-46,200

RESERVE PERSONNEL, NAVY

For Reserve Personnel, Navy, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
26000 RESERVE PERSONNEL, NAVY				
26050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
26100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	619,535	619,535	614,535	614,535
26150 PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY).....	8,888	8,888	8,888	8,888
26200 PAY GROUP F TRAINING (RECRUITS).....	55,636	55,636	55,636	55,636
26250 MOBILIZATION TRAINING.....	8,315	8,315	8,315	8,315
26300 SCHOOL TRAINING.....	43,782	43,782	43,782	43,782
26350 SPECIAL TRAINING.....	79,489	79,489	79,489	79,489
26400 ADMINISTRATION AND SUPPORT.....	1,066,311	1,066,311	1,066,311	1,066,311
26450 EDUCATION BENEFITS.....	6,774	6,774	6,774	6,774
26500 HEALTH PROFESSION SCHOLARSHIP.....	49,436	49,436	49,436	49,436
26550 TOTAL, BUDGET ACTIVITY 1.....	1,938,166	1,938,166	1,933,166	1,933,166
26600 UNDISTRIBUTED ADJUSTMENT.....	---	-20,055	-28,000	-23,865
27000 TOTAL, RESERVE PERSONNEL, NAVY.....	1,938,166	1,918,111	1,905,166	1,909,301

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	**619,535**	**619,535**	**614,535**	**614,535**
Unjustified Growth			-5,000	-5,000
UNDISTRIBUTED ADJUSTMENT		**-20,055**	**-28,000**	**-23,865**
Authorized Basic Pay Increase		4,635		4,635
Unexpended/Unobligated Balances		-24,690	-24,000	-24,500
Lower than Budgeted Pay Grade Mix			-4,000	-4,000

RESERVE PERSONNEL, MARINE CORPS

For Reserve Personnel, Marine Corps, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
28000 RESERVE PERSONNEL, MARINE CORPS				
28050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
28100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	171,381	171,381	171,381	171,381
28150 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).....	30,901	30,901	30,901	30,901
28200 PAY GROUP F TRAINING (RECRUITS).....	121,402	121,402	121,402	121,402
28300 MOBILIZATION TRAINING.....	4,114	4,114	4,114	4,114
28350 SCHOOL TRAINING.....	16,034	16,034	16,034	16,034
28400 SPECIAL TRAINING.....	26,851	26,851	26,851	26,851
28450 ADMINISTRATION AND SUPPORT.....	215,447	215,447	215,447	215,447
28500 PLATOON LEADER CLASS.....	11,327	11,327	11,327	11,327
28550 EDUCATION BENEFITS.....	20,043	20,043	20,043	20,043
28600 TOTAL, BUDGET ACTIVITY 1.....	617,500	617,500	617,500	617,500
28700 UNDISTRIBUTED ADJUSTMENT.....	---	-6,920	-6,000	-4,000
29000 TOTAL, RESERVE PERSONNEL, MARINE CORPS.....	617,500	610,580	611,500	613,500

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
UNDISTRIBUTED ADJUSTMENT		-6,920	-6,000	-4,000
Authorized Basic Pay Increase		1,900		1,900
Unexpended/Unobligated Balances		-5,820	-6,000	-5,900
MIP Marine Corps Reserve Intelligence Program		-3,000		

RESERVE PERSONNEL, AIR FORCE

For Reserve Personnel, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
30000 RESERVE PERSONNEL, AIR FORCE				
30050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
30100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	637,673	637,673	637,673	637,673
30150 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).....	91,119	91,119	91,119	91,119
30200 PAY GROUP F TRAINING (RECRUITS).....	56,926	56,926	56,926	56,926
30250 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	52	52	52	52
30300 MOBILIZATION TRAINING.....	1,800	1,800	1,800	1,800
30350 SCHOOL TRAINING.....	152,674	152,674	152,674	152,674
30400 SPECIAL TRAINING.....	221,085	221,085	221,085	221,085
30450 ADMINISTRATION AND SUPPORT.....	353,905	353,905	353,905	353,905
30500 EDUCATION BENEFITS.....	37,362	37,362	37,362	37,362
30550 HEALTH PROFESSION SCHOLARSHIP.....	49,979	49,979	49,979	49,979
30600 OTHER PROGRAMS (ADMIN & SUPPORT).....	5,137	5,137	5,137	5,137
30650 TOTAL, BUDGET ACTIVITY 1.....	1,607,712	1,607,712	1,607,712	1,607,712
30750 UNDISTRIBUTED ADJUSTMENT.....	---	-7,250	-23,000	-18,300
31000 TOTAL, RESERVE PERSONNEL, AIR FORCE.....	1,607,712	1,600,462	1,584,712	1,589,412

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
UNDISTRIBUTED ADJUSTMENT		-7,250	-23,000	-18,300
Authorized Basic Pay Increase		15,200		4,200
Unexpended/Unobligated Balances		-22,450	-23,000	-22,500

NATIONAL GUARD PERSONNEL, ARMY

For National Guard Personnel, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
32000 NATIONAL GUARD PERSONNEL, ARMY				
32050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
32100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	2,054,153	2,054,153	2,054,153	2,054,153
32150 PAY GROUP F TRAINING (RECRUITS).....	460,832	460,832	460,832	460,832
32200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	68,064	68,064	68,064	68,064
32250 SCHOOL TRAINING.....	547,488	547,488	547,488	547,488
32300 SPECIAL TRAINING.....	528,419	528,419	508,419	518,419
32350 ADMINISTRATION AND SUPPORT.....	3,799,749	3,799,749	3,799,749	3,799,749
32400 EDUCATION BENEFITS.....	162,783	162,783	162,783	162,783
32410 RECRUITING/RETENTION.....	---	-52,747	---	-25,000
32450 TOTAL, BUDGET ACTIVITY 1.....	7,621,488	7,568,741	7,601,488	7,586,488
32600 UNDISTRIBUTED ADJUSTMENT.....	---	-43,113	-66,400	-39,583
33000 TOTAL, NATIONAL GUARD PERSONNEL, ARMY.....	7,621,488	7,525,628	7,535,088	7,546,905

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
SPECIAL TRAINING	528,419	528,419	508,419	518,419
Recruiting and Retention Mandays			-20,000	-10,000
RECRUITING AND RETENTION		-52,747		-25,000
UNDISTRIBUTED ADJUSTMENT		-43,113	-66,400	-39,583
Authorized Basic Pay Increase		26,267		26,267
Unexpended/Unobligated Balances		-70,830	-70,000	-70,500
WMD Civil Support Team for Florida		1,200		1,200
WMD Civil Support Team for New York		250		200
Joint Interagency Training and Education Center			3,600	3,250

NATIONAL GUARD PERSONNEL, AIR FORCE

For National Guard Personnel, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
34000 NATIONAL GUARD PERSONNEL, AIR FORCE				
34050 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
34100 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	961,609	961,609	961,609	961,609
34150 PAY GROUP F TRAINING (RECRUITS).....	64,290	64,290	64,290	64,290
34200 PAY GROUP P TRAINING (PIPELINE RECRUITS).....	209	209	209	209
34250 SCHOOL TRAINING.....	191,646	191,646	191,646	191,646
34300 SPECIAL TRAINING.....	115,083	115,083	115,083	115,083
34350 ADMINISTRATION AND SUPPORT.....	1,598,988	1,598,988	1,594,988	1,594,988
34400 EDUCATION BENEFITS.....	39,124	39,124	39,124	39,124
34450 TOTAL, BUDGET ACTIVITY 1.....	2,970,949	2,970,949	2,966,949	2,966,949
34700 UNDISTRIBUTED ADJUSTMENT.....	---	-21,050	-43,350	-28,720
35000 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE.....	2,970,949	2,949,899	2,923,599	2,938,229

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
ADMINISTRATION AND SUPPORT	1,598,988	1,598,988	1,594,988	1,594,988
Non-Prior Service Enlistment Bonus			-4,000	-4,000
UNDISTRIBUTED ADJUSTMENT		-21,050	-43,350	-28,720
Authorized Basic Pay Increase		1,600		6,600
Unexpended/Unobligated Balances		-22,650	-34,000	-28,320
Lower than Budgeted Pay Grade Mix			-10,000	-8,000
Joint Interagency Training and Education Center			650	1,000

TITLE II – OPERATION AND MAINTENANCE

For Operation and Maintenance, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
RECAPITULATION				
OPERATION & MAINTENANCE, ARMY	31,274,882	30,454,152	30,667,886	30,934,550
OPERATION & MAINTENANCE, NAVY	35,070,346	34,885,932	34,773,497	34,714,396
OPERATION & MAINTENANCE, MARINE CORPS	5,536,223	5,557,510	5,435,923	5,539,117
OPERATION & MAINTENANCE, AIR FORCE	34,748,159	33,785,349	33,739,447	33,477,116
OPERATION & MAINTENANCE, DEFENSE-WIDE	28,357,246	27,929,377	28,205,050	28,115,793
OPERATION & MAINTENANCE, ARMY RESERVE	2,620,196	2,621,196	2,582,624	2,617,496
OPERATION & MAINTENANCE, NAVY RESERVE	1,278,501	1,280,001	1,272,501	1,273,701
OPERATION & MAINTENANCE, MARINE CORPS RESERVE	228,925	228,925	219,425	223,175
OPERATION & MAINTENANCE, AIR FORCE RESERVE	3,079,228	3,079,228	3,085,700	3,131,200
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	6,257,034	6,353,627	5,989,034	6,189,713
OPERATION & MAINTENANCE, AIR NATIONAL GUARD	5,885,761	5,888,741	5,857,011	5,882,251
OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	5,000	---	---	---
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	13,932	13,932	13,932	13,932
ENVIRONMENTAL RESTORATION, ARMY	415,864	415,864	430,864	423,364
ENVIRONMENTAL RESTORATION, NAVY	285,869	285,869	285,869	285,869
ENVIRONMENTAL RESTORATION, AIR FORCE	494,276	494,276	494,276	494,276
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	11,100	11,100	11,100	11,100
ENVIRONMENTAL RESTORATION, FORMERLY USED DEF. SITES	267,700	277,700	307,700	292,700
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	109,869	109,869	109,869	109,869
COOPERATIVE THREAT REDUCTION ACCOUNT	404,093	404,093	424,093	424,093
DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	100,000	100,000	100,000	100,000
GRAND TOTAL, OPERATION & MAINTENANCE	156,444,204	154,176,741	154,005,801	154,253,711

UNDISTRIBUTED REDUCTIONS BASED ON HISTORICAL UNDEREXECUTION

Both the House and Senate recommend execution reductions to the operation and maintenance accounts. The House's adjustment is based on the Government Accountability Office's analysis of historical budget execution trends. The Senate's adjustment is based on the historical difference between the request and obligations for restoration and modernization, citing data that the execution of appropriated funds was significantly different than what was requested for certain budget line items. Since the issues behind these recommendations are so similar, the recommendation includes an undistributed reduction to each of the operation and maintenance accounts based on historical underexecution. This reduction shall be applied to any budget line item with the exception of Facilities Sustainment, Restoration and Modernization lines.

FINANCIAL IMPROVEMENT AND AUDIT READINESS

It is concerning that the Department of Defense is not placing enough emphasis on improving financial management processes, internal controls and audit readiness capability. The Department should continue to develop and implement the Financial Improvement and Audit Readiness (FIAR) plan to correct financial management deficiencies and meet audit readiness objectives. Such actions would likely result in significant programmatic savings, increased efficiencies, and an improved ability to properly spend and account for the Department's critical assets and resources. The recommendation supports the Department of Defense's FIAR planning and financial improvement programs.

OPERATION AND MAINTENANCE REPROGRAMMINGS

The recommendation includes a provision identical to the provision enacted in fiscal year 2009 that requires the Department to submit the DD Form 1414, Base for Reprogramming Actions, for each of the fiscal year 2010 appropriations accounts within 60 days after the enactment of this Act. This provision prohibits the Department from executing any reprogramming or transfer of funds for any purpose other than originally appropriated until the aforementioned report is submitted to the House and the Senate Committees on Appropriations.

With respect to the Services' operation and maintenance accounts, the Department shall submit prior approval reprogramming requests to the congressional defense committees for proposed transfers of funds in excess of $15,000,000 to or from the levels specified for budget activities. In addition, the Department shall follow prior approval reprogramming procedures for transfers in excess of $15,000,000 out of the following budget sub-activities:

Operation and Maintenance, Army:
Land Forces Depot Maintenance
Operation and Maintenance, Navy:
Aircraft Depot Maintenance
Ship Depot Maintenance
Operation and Maintenance, Marine Corps:
Depot Maintenance
Operation and Maintenance, Air Force:
Air Operations Depot Maintenance
Mobility Operations Depot Maintenance
Basic Skills/Training Depot Maintenance
Logistics Operations Depot Maintenance

In addition, the Department shall follow prior approval reprogramming procedures for transfers in excess of $15,000,000 into the following budget sub-activity:

Operation and Maintenance, Army National Guard:
Other Personnel Support/Recruiting and Advertising

Further, the Department shall provide written notification of cumulative transfers in excess of $15,000,000 from the following budget sub-activities:

Operation and Maintenance, Army:
Maneuver Units
Modular Support Brigades
Land Forces Operations Support
Force Readiness Operations Support
Base Operations Support
Facilities, Sustainment, Restoration and Modernization
Operation and Maintenance, Navy:
Facilities Sustainment, Restoration and Modernization
Operation and Maintenance, Marine Corps:
Facilities Sustainment, Restoration and Modernization
Operation and Maintenance, Air Force:
Primary Combat Forces
Combat Enhancement Forces
Combat Communications
Facilities Sustainment, Restoration and Modernization

With respect to Operation and Maintenance, Defense-Wide, proposed transfers of funds to or from the levels specified for defense agencies in excess of $15,000,000 shall be subject to prior approval reprogramming procedures. In addition, the Department shall provide written notification of cumulative transfers in excess of $15,000,000 or 20 percent, whichever is less, from the following line items identified in the Operation and Maintenance, Defense-Wide project level table contained in this Act:

Defense Legal Services Agency
Office of the Secretary of Defense:
Acquisition, Technology, and Logistics Programs
Personnel and Readiness
Comptroller and Chief Financial Officer
Under Secretary of Defense (Intelligence)
Under Secretary of Defense (Policy)
Director, Program Analysis and Evaluation
Assistant Secretary for Defense (Networks and Information Integration)

A congressional interest item contained in Operation and Maintenance, Defense-Wide is defined only as a specified increase provided in this Act.

OPERATION AND MAINTENANCE BUDGET EXECUTION DATA

The Secretary of Defense is directed to continue to provide the congressional defense committees with quarterly budget execution data. Such data should be provided not later than 45 days past the close of each quarter for the fiscal year, and shall be provided for each 0–1 budget activity, activity group, and sub-activity group for each of the active, defense-wide, reserve and National Guard components. For each 0–1 budget activity, activity group, and sub-activity group, these reports shall include: the budget request and actual obligations; the Department of Defense distribution of unallocated congressional adjustments to the budget request; all adjustments made in establishing the Base for Reprogramming (DD Form 1414) report; all adjustments resulting from below threshold reprogrammings; and all adjustments resulting from prior approval reprogramming requests.

FEDERAL GOVERNMENT CONTRACTING PROCEDURES

Section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) included a provision amending Federal government contracting procedures for 8(a) Native American sole source Federal contracts. The provision requires that any 8(a) Native American contracts in excess of $20,000,000 will now be subject to an additional level of review through the Justification and Approval process. The effect that this additional requirement will have on the efficiency of the contracting process and the competitiveness of Native American companies is unknown. Therefore, the Secretary of Defense is directed to submit a report 90 days after the implementation of the new contracting procedures. This report shall detail the impact of the provision on the selection of Native American companies for large dollar contracts; discuss how the provision is affecting the contracting process, whether an excessive administrative burden has been placed on contracting personnel; and provide recommendations for how the provision can be amended to mitigate any unintended negative consequences.

MILITARY TIRES

As part of the Tire Commodity Management Privatization initiative, undertaken in compliance with the Base Realignment and Closure Act of 2005, the Department of Defense shifted responsibility for tire supply, storage, and distribution from the Defense Logistics Agency to a contractor who would be in charge of procuring and distributing all ground and air military tires worldwide for the Department and the military services. It is recognized that the intent of this initiative was to lower costs and streamline the process of getting tires to the warfighter and that the current prime contractor has exceeded expectations. However, having a tire manufacturer as the manager as well as the vendor creates a perception of a lack of competition.

The Secretary of Defense is directed to award new military ground vehicle and aircraft tire management contracts when the existing base contract expires. The new contract should prohibit any tire manufacturer from acting as a prime contractor for the management of the contract. The existing Navy aircraft tire contracts are exempted provided the Department of the Navy certifies that these contracts represent the best value to the government.

INFORMATION OPERATIONS

The Department of Defense must improve both budgetary and policy oversight of its strategic communications and information operations programs. The Department's leadership has only recently become aware of the variety, scope, and magnitude of funding associated with these programs across the services and at all levels within the combatant commands. Fiscal year 2010 Department of Defense budget justification materials provided to the Congress initially indicated the request included nearly one billion dollars across the Department of Defense and within the services for information operations programs. However, after the congressional defense committees made several inquiries during the budget review process, it was determined by the Department that the budget request for these activities was actually $626,200,000 for fiscal year 2010, $360,000,000 less than originally indicated.

As part of its own efforts, the Department has improved its ability to account for the vast sums of dollars that have been spent on these programs in the past, and those being requested in the current budget submission. However, throughout the budget review process of the House and Senate Appropriations Committees, repeated questions to the Department about the execution of appropriated funds and the proposed use of requested funding were too often answered with varied responses or admissions of uncertainty. The Congress cannot be expected to continue supporting programs which lack accountability and clear direction.

The Department of Defense should formulate, coordinate, operate and account for its strategic communications and information operations programs within an enterprise-

wide architecture. This should include designating an individual or individuals with authority to ensure that the programs support national security policies and strategies, that they are properly coordinated with other government departments and agencies, and that appropriated dollars are obligated, expended, and accounted for in accordance with the intent justified and communicated to the Congress, and for the purposes appropriated. In this regard, the recommendation concurs with the reporting requirement included in the National Defense Authorization Act for Fiscal Year 2010 regarding the Department's efforts to develop enterprise-wide oversight and coordination mechanisms for military strategic communications and information operations programs. This report should also include an evaluation of proposals to establish or empower an office within the Secretary of Defense with Executive Agent authority over military strategic communications and information operations programs.

The Congress has a need for better budget justification and execution documentation for congressional oversight of information operations program funds. The classified annex to the Supplemental Appropriations Act for Fiscal Year 2009 included a reporting requirement on Department of Defense strategic communications programs. The Department should submit such a report annually with updated informative materials and data. Accordingly, the Under Secretary of Defense for Policy, in coordination with the Under Secretary of Defense (Comptroller), shall submit a strategic communications and information operations programs report to the congressional defense committees not later than 30 days after the submission of the President's annual budget request to Congress. The report shall include supplemental budget justification materials for strategic communication programs to include information operations, psychological operations, and influence activities of the Department of Defense for which base budget, supplemental, or overseas contingency operation funds have been appropriated or requested over the fiscal year 2007 through 2011 period, including: program strategies, target audiences, goals, and measures of effectiveness; budget exhibits at the appropriations account and sub-activity level; spend plans (including positions and other direct costs and locations. The report shall include an annex for necessary explanatory and supporting classified information. Within this annex the Department should specifically designate, and include a comprehensive explanation of, any programs, activities, or operations where the involvement of the United States Government may be anything less than publicly acknowledged.

Finally, funding requested for United States Central Command (CENTCOM) information operations programs in Afghanistan has grown from $39,900,000 in fiscal year 2008, to a request of $243,800,000 in fiscal year 2010, a 500 percent increase. Of the $109,700,000 specifically appropriated for United States Forces—Afghanistan (USFOR-A) information operations programs in fiscal year 2009, only $63,400,000 was obligated. The remaining $46,300,000 (42 percent of the appropriation) was used by CENTCOM and the Army for other purposes in Afghanistan. The large increase in the funding requested and the ability of CENTCOM to execute this funding based on its prior year execution is of concern. Accordingly, the Under Secretary of Defense (Comptroller) is directed to provide a classified quarterly report to the congressional defense committees on the obligation and expenditure of those funds requested and appropriated in Title IX of this Act, ''Operation and Maintenance, Army'' for CENTCOM's United States Forces—Afghanistan and External Information Program—Afghanistan information operation programs and activities. The report shall identify any of the funds provided that have been obligated or expended for other than information operation activities, or transferred either above or below the reprogramming threshold notification requirements, and the purposes for which the funds were otherwise used.

The recommendation makes the following reductions to the Department of Defense request for information operations and strategic communications programs:

(In thousands of dollars)

Account	Line	Program adjustment	House reduction	Senate reduction	Recommended reduction
Operation and Maintenance, Title II					
O&M Army	134	Information Operations		−18,800	0
O&M Army	138	EUCOM Information Operations			−2,000
O&M Army	138	AFRICOM Information Operations			−3,000
O&M Army	Undistributed	Information Operations	−30,000		0
O&M Air Force	015A	CENTCOM Information Operations			−20,000
O&M Air Force	Undistributed	Information Operations	−49,400		0
O&M DW	SOCOM	Information Operations	−16,000		0
Operation and Maintenance, Title IX					
O&M Air Force	015A	Information Operations	−150,000	−20,000	−25,000
O&M Air Force	Undistributed	Information Operations	−27,000		0
O&M DW	SOCOM	Information Operations	−58,000	−20,000	−50,000

ARMY AND AIR FORCE EXCHANGE SERVICE

There is deep concern that Army and Air Force Exchange Service (AAFES) decisions to construct new restaurants will negatively impact locally-owned restaurants of the same franchise in the community. Such actions, especially in areas with economic conditions that cannot support multiple restaurants of the same franchise, are harmful to the community. As partners with the community, the Department should consider these implications when making decisions about building new retail, restaurant or concessions services on an installation. Accordingly, the Department is directed to report to the congressional defense committees within 90 days after enactment of this Act on the decision process to open new AAFES restaurants at Fort Stewart, and what considerations were made to account for the potential impact of such openings on the locally-owned restaurants of the same franchise.

OPERATION AND MAINTENANCE, ARMY

For Operation and Maintenance, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
50 OPERATION AND MAINTENANCE, ARMY				
100 BUDGET ACTIVITY 1: OPERATING FORCES				
150 LAND FORCES				
200 MANEUVER UNITS	1,020,490	1,031,620	1,020,490	1,026,055
250 MODULAR SUPPORT BRIGADES	105,178	116,802	105,178	114,290
300 ECHELONS ABOVE BRIGADES	708,038	709,038	708,038	708,838
350 THEATER LEVEL ASSETS	718,233	722,733	699,733	721,833
400 LAND FORCES OPERATIONS SUPPORT	1,379,529	1,382,029	1,230,257	1,232,757
450 AVIATION ASSETS	850,750	850,750	773,350	773,350
500 LAND FORCES READINESS				
550 FORCE READINESS OPERATIONS SUPPORT	2,088,233	2,091,733	2,010,342	2,073,033
600 LAND FORCES SYSTEMS READINESS	633,704	625,604	633,704	633,704
650 LAND FORCES DEPOT MAINTENANCE	692,601	695,601	692,601	695,001
700 LAND FORCES READINESS SUPPORT				
750 BASE OPERATIONS SUPPORT	7,586,455	7,593,155	7,364,133	7,526,915
800 FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	2,221,446	2,229,527	2,230,846	2,231,474
850 MANAGEMENT AND OPERATIONAL HEADQUARTERS	333,119	341,119	314,119	339,519
900 COMBATANT COMMANDER'S CORE OPERATIONS	123,163	123,163	104,363	123,163
1060 COMBATANT COMMANDERS ANCILLARY MISSIONS	460,159	460,159	460,159	455,159
1100 TOTAL, BUDGET ACTIVITY 1	18,921,098	18,973,033	18,347,313	18,655,091
1150 BUDGET ACTIVITY 2: MOBILIZATION				
1200 MOBILITY OPERATIONS				
1250 STRATEGIC MOBILITY	228,376	218,376	228,376	218,376
1300 ARMY PREPOSITIONED STOCKS	98,129	98,129	98,129	98,129
1350 INDUSTRIAL PREPAREDNESS	5,705	5,705	5,705	5,705
1400 TOTAL. BUDGET ACTIVITY 2	332,210	322,210	332,210	322,210

(In thousands of dollars)

	Budget	House	Senate	Recommendation
1450 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
1500 ACCESSION TRAINING				
1550 OFFICER ACQUISITION	125,615	126,615	125,615	126,415
1600 RECRUIT TRAINING	87,488	87,488	88,412	89,888
1650 ONE STATION UNIT TRAINING	59,302	62,802	59,302	62,802
1700 SENIOR RESERVE OFFICERS TRAINING CORPS	449,397	450,332	451,597	452,092
1750 BASIC SKILL AND ADVANCED TRAINING				
1800 SPECIALIZED SKILL TRAINING	970,777	1,018,777	971,277	979,427
1850 FLIGHT TRAINING	843,893	843,893	985,693	985,693
1900 PROFESSIONAL DEVELOPMENT EDUCATION	166,812	171,912	170,812	171,292
1950 TRAINING SUPPORT	702,031	580,231	702,031	703,631
2000 RECRUITING AND OTHER TRAINING AND EDUCATION				
2050 RECRUITING AND ADVERTISING	541,852	525,252	541,852	539,852
2100 EXAMINING	147,915	147,915	147,915	147,915
2150 OFF-DUTY AND VOLUNTARY EDUCATION	238,353	238,353	238,353	238,353
2200 CIVILIAN EDUCATION AND TRAINING	217,386	199,386	217,386	217,386
2250 JUNIOR RESERVE OFFICERS TRAINING CORPS	156,904	171,904	156,904	168,904
2300 TOTAL, BUDGET ACTIVITY 3	4,707,725	4,624,860	4,857,149	4,883,650
2350 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
2400 SECURITY PROGRAMS				
2450 SECURITY PROGRAMS	1,017,055	1,019,355	1,014,247	1,019,555
2500 LOGISTICS OPERATIONS				
2550 SERVICEWIDE TRANSPORTATION	540,249	540,249	540,249	540,249
2600 CENTRAL SUPPLY ACTIVITIES	614,093	619,093	614,093	619,093
2650 LOGISTICS SUPPORT ACTIVITIES	481,318	489,318	489,618	495,218
2700 AMMUNITION MANAGEMENT	434,661	422,861	434,661	434,661

(In thousands of dollars)

	Budget	House	Senate	Recommendation
2750 SERVICEWIDE SUPPORT				
2800 ADMINISTRATION	776,866	763,866	776,866	763,866
2850 SERVICEWIDE COMMUNICATIONS	1,166,491	1,114,991	1,168,491	1,191,091
2900 MANPOWER MANAGEMENT	289,383	289,383	289,383	289,383
2950 OTHER PERSONNEL SUPPORT	221,779	221,779	218,652	229,029
3000 OTHER SERVICE SUPPORT	993,852	995,352	986,852	988,352
3050 ARMY CLAIMS ACTIVITIES	215,168	175,768	215,168	215,168
3100 REAL ESTATE MANAGEMENT	118,785	118,785	118,785	118,785
3150 SUPPORT OF OTHER NATIONS				
3200 SUPPORT OF NATO OPERATIONS	430,449	430,449	430,449	430,449
3250 MISC. SUPPORT OF OTHER NATIONS	13,700	13,700	13,700	13,700
3300 TOTAL, BUDGET ACTIVITY 4	7,313,849	7,214,949	7,311,214	7,348,599
3440 ELIMINATE CAAS GROWTH IN OBJECT CLASS	---	-50,900	---	-50,900
3445 INFORMATION OPERATIONS	---	-30,000	---	---
3450 EXCESS WORKING CAPITAL FUND CASH	---	-600,000	---	---
3455 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION	---	---	-180,000	---
3460 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-224,100
4000 TOTAL, OPERATION AND MAINTENANCE, ARMY	31,274,882	30,454,152	30,667,886	30,934,550

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

O-1	Budget Request	House	Senate	Recommendation
111 MANEUVER UNITS	**1,020,490**	**1,031,620**	**1,020,490**	**1,026,055**
Program Increase - Irregular warfare		11,130		5,565
112 MODULAR SUPPORT BRIGADES	**105,178**	**116,802**	**105,178**	**114,290**
Program Increase - Irregular warfare		2,624		1,312
Air-Supported Temper Tent		3,000		3,000
Modular Command Post Tent		6,000		4,800
113 ECHELONS ABOVE BRIGADE	**708,038**	**709,038**	**708,038**	**708,838**
Army Force Generation Synchronization Tool		1,000		800
114 THEATER LEVEL ASSETS	**718,233**	**722,733**	**699,733**	**721,833**
Lightweight Tactical Utility Vehicles		4,500		3,600
CASEVAC/Logistics Rotary Wing Contract for OEF-Philippines - Transfer to OCO			-18,500	
115 LAND FORCES OPERATIONS SUPPORT	**1,379,529**	**1,382,029**	**1,230,257**	**1,232,757**
UH-60 Leak Proof Drip Pans		2,500		2,500
Budget Realignment of Combat Training Center Transportation Funding in Support of Helicopter Training			-64,400	-64,400
Reduction to the Remaining Growth in fiscal year 2010 for Combat Training Center Transportation due to OCO Funding Availability			-36,372	-36,372
Budget Justification does not Match Summary of Price and Program Changes for Other Contracts			-48,500	-48,500
116 AVIATION ASSETS	**850,750**	**850,750**	**773,350**	**773,350**
Budget Realignment in Support of Helicopter Training			-77,400	-77,400
121 FORCE READINESS OPERATIONS SUPPORT	**2,088,233**	**2,091,733**	**2,010,342**	**2,073,033**
Fort Hood Training Lands Restoration and Maintenance		2,500		2,000
Operational/Technical Training Validation for Joint Maneuver Forces at Fort Bliss		1,000		800
Family Readiness Support Assistants - Transfer to OCO			-59,891	
Administrative Savings Proposal Increase Number of Soldiers per Chartered Aircraft going on R&R Leave			-15,000	-15,000
Administrative Savings Proposal - Soldier Student Lodging			-3,000	-3,000
122 LAND FORCES SYSTEMS READINESS	**633,704**	**625,604**	**633,704**	**633,704**
Average Underexecution		-8,100		
123 LAND FORCES DEPOT MAINTENANCE	**692,601**	**695,601**	**692,601**	**695,001**
Defense Job Creation and Supply Chain Initiative		3,000		2,400
131 BASE OPERATIONS SUPPORT	**7,586,455**	**7,593,155**	**7,364,133**	**7,526,915**
Fort Benning National Incident Management System Compliant Installation Operations Center		5,000		4,000
Fort Bliss Data Center		1,700		1,360
Budget Justification does not Match Summary of Price and Program Changes for Korea Build-to-Lease Program and TRADOC Lease Reductions			-46,000	-46,000

O-1		Budget Request	House	Senate	Recommendation
	Pollution Prevention Reduction not Properly Accounted for in Budget Justification			-22,000	-22,000
	Environmental Management Information System (EMIS) - Army Requested Transfer to RDT&E, Army line number 64			-2,000	-2,000
	Child Care/Youth Development Programs - Transfer to OCO			-69,320	
	Installation Support - Transfer to OCO			-10,088	
	Warfighter and Family Services - Transfer to OCO			-78,514	
	Army Conservation and Ecosystem Management			4,500	4,000
	IT and Information Management Upgrades, Fort Greely, AK			300	300
	Post Security Enhancements, Fort Greely, AK			800	800
132	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	2,221,446	2,229,527	2,230,846	2,231,474
	Americans with Disabilities Act Compliance for the Historical Fort Hamilton Community Club		1,800		1,440
	Defense- Fire Alarm / Detection System Installation for the Historical Fort Hamilton Community Club		500		400
	Defense- Sprinkler System Installation for the Historical Fort Hamilton Community Club		1,200		960
	Repair Heating, Ventilation, Air Conditioning System at Fort Leavenworth		2,796		0
	Repair Heating, Ventilation, Air Conditioning System in National Simulations Center		1,785		1,428
	Installation Processing Node - Phase IIa			3,600	0
	Rock Island Arsenal Building 299 Roof Replacement			5,800	5,800
133	MANAGEMENT AND OPERATIONAL HQ	333,119	341,119	314,119	339,519
	Initative to Increase Minority Participation In Defense		8,000		6,400
	Budget Justification does not Match Summary of Price and Program Changes for Management and Professional Services			-19,000	
134	COMBATANT COMMANDERS CORE OPERATIONS	123,163	123,163	104,363	123,163
	Information Operations			-18,800	0
138	COMBATANT COMMANDERS ANCILLARY MISSIONS	460,159	460,159	460,159	455,159
	EUCOM Information Operations				-2,000
	AFRICOM Information Operations				-3,000
211	STRATEGIC MOBILITY	228,376	218,376	228,376	218,376
	Lack of Spares to Reset Prepo		-10,000		-10,000
311	OFFICER ACQUISITION	125,615	126,615	125,615	126,415
	Diversity Recruitment for West Point Military Academy		1,000		800
312	RECRUIT TRAINING	87,488	87,488	88,412	89,888
	Reception Stations - Transfer to OCO			-2,076	
	Desert Locust Laser Protective Lens			3,000	2,400
313	ONE STATION UNIT TRAINING	59,302	62,802	59,302	62,802
	TRANSIM Driver Training		3,500		3,500
314	SENIOR RESERVE OFFICERS TRAINING CORPS	449,397	450,332	451,597	452,092
	US Army ROTC Emergency Facility Renovation		935		935
	Air Battle Captain ROTC Helicopter Training			2,200	1,760

O-1	Budget Request	House	Senate	Recommendation
321 SPECIALIZED SKILL TRAINING	970,777	1,018,777	971,277	979,427
Program Increase - Re-balance Training Programs		45,000		5,750
Critical Language Instruction for Military Personnel, Education, Training and Distance Learning		3,000		2,400
Rule of Law			500	500
322 FLIGHT TRAINING	843,893	843,893	985,693	985,693
Budget Realignment in Support of Helicopter Training			141,800	141,800
323 PROFESSIONAL DEVELOPMENT EDUCATION	166,812	171,912	170,812	171,292
Army Command and General Staff College Leadership Training Program		2,000	2,000	2,000
Genocide Prevention Course through Combined Arms Center		1,600		1,280
ROTC and Reserve Component Strategic Language Hub Pilot		1,500		1,200
Academic Support and Research Compliance for Knowledge Gathering (Transferred to RDT&E, Army line number 4)			2,000	
324 TRAINING SUPPORT	702,031	580,231	702,031	703,631
Average Underexecution		-123,800		
Online Technology Training Program at Joint Base Lewis-McChord		2,000		1,600
331 RECRUITING AND ADVERTISING	541,852	525,252	541,852	539,852
Average Underexecution		-12,600		
Army Experience Center - Eliminate Targeting of 13-17 year olds		-4,000		-2,000
334 CIVILIAN EDUCATION AND TRAINING	217,386	199,386	217,386	217,386
Average Underexecution		-18,000		
335 JUNIOR ROTC	156,904	171,904	156,904	168,904
Program Increase - Junior ROTC		15,000		12,000
411 SECURITY PROGRAMS	1,017,055	1,019,355	1,014,247	1,019,555
Classified Adjustment		2,300	-2,808	2,500
422 CENTRAL SUPPLY ACTIVITIES	614,093	619,093	614,093	619,093
DECA Construction (Transfer)		5,000		5,000
423 LOGISTIC SUPPORT ACTIVITIES	481,318	489,318	489,618	495,218
Anti-Corrosion Nanotechnology Solutions for Logistics		1,000		800
Common Logistics Operating System		2,000		1,600
Logistics Interoperability		1,500		1,200
Net-Centric Decision Support Environment Sense and Respond Logistics		2,500		2,000
Ground Combat System Knowledge Center and Technical Inspection Data Capture		1,000		1,000
Manufacturing Supply Chain Initiative			5,000	4,000
Transformation of ISO Containers to Smart Containers			3,300	3,300

O-1	Budget Request	House	Senate	Recommendation
424 AMMUNITION MANAGEMENT	434,661	422,861	434,661	434,661
Average Underexecution		-14,800		
M24 Sniper Weapons System Upgrade (Transferred to Procurement of Weapons and Tracked Combat Vehicles, Army line number 42)		3,000		
431 ADMINISTRATION	776,866	763,866	776,866	763,866
In-source issuing Common Access Cards		-18,000		-18,000
In-source issuing Common Access Cards		9,000		9,000
Efficiencies of centralized management and tracking of Common Access Cards		-4,000		-4,000
432 SERVICEWIDE COMMUNICATIONS	1,166,491	1,114,991	1,168,491	1,191,091
Average Underexecution		-51,500		
Biometrics Operations Directorate Transition			2,000	1,600
GFEBS transfer request - Transfer from Other Procurement, Army line number 118				23,000
434 OTHER PERSONNEL SUPPORT	221,779	221,779	218,652	229,029
Transferred from O&M, Defense-Wide BTA for DIMHRS			7,250	7,250
Wounded Warrior Program - Transfer to OCO			-10,377	
435 OTHER SERVICE SUPPORT	993,852	995,352	986,852	988,352
Memorial Day Concert		1,500		1,500
Administrative Savings Proposal: Automated Vendor Payments (Wide Area Workflow)			-7,000	-7,000
436 ARMY CLAIMS ACTIVITIES	215,168	175,768	215,168	215,168
Average Underexecution		-39,400		
Eliminate Growth in CAAS Shown in Object Class		-50,900		-50,900
Undistributed Information Operations		-30,000		0
Excess Working Capital Fund Cast		-600,000		0
Undistributed Reduction Due to Historic R&M Migration			-180,000	0
Undistributed Reduction Due to Historic Underexecution				-224,100

ACCOUNTABILITY OF COMMON ACCESS CARDS

House Report 111–230 on the Department of Defense Appropriations Bill, 2010 noted major problems cited by the Department of Defense Inspector General regarding Common Access Card abuses by contractors. A program has been established to provide secure credentials to contractors and is currently being tested at Fort Belvoir, Virginia. These steps to address the force protection deficiencies cited by the Inspector General are encouraging and the Department should work to continue to improve the process for issuing Common Access Cards and to improve the security of Department of Defense facilities.

JUNIOR RESERVE OFFICERS' TRAINING CORPS

The Junior Reserve Officers' Training Corps (JROTC) helps instill the essential qualities of character, citizenship, and fitness in its participants. The Department is commended for JROTC's proven track record of developing leadership potential, logical thinking and enhanced oral and verbal communication skills. JROTC's valuable role is an outlet through which its participants remain engaged, dedicated and disciplined in their academic and extracurricular endeavors. JROTC's emphasis on the importance of high school graduation, college attendance, and other advanced educational and employment opportunities which contribute to a successful future is to be applauded. In order to extend and enhance the benefits of this invaluable program, the recommendation provides $12,000,000 above the budget request only for a pilot program of JROTC units that would expand the scope and availability of this program in localities that desire to participate in such a program.

OPERATION AND MAINTENANCE, NAVY

For Operation and Maintenance, Navy, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
4300 OPERATION AND MAINTENANCE, NAVY				
4350 BUDGET ACTIVITY 1: OPERATING FORCES				
4400 AIR OPERATIONS				
4450 MISSION AND OTHER FLIGHT OPERATIONS	3,814,000	3,598,672	3,814,000	3,724,004
4500 FLEET AIR TRAINING	120,868	120,868	121,668	121,668
4560 AVIATION TECHNICAL DATA AND ENGINEERING SERVICES	52,259	52,259	52,259	52,259
4600 AIR OPERATIONS AND SAFETY SUPPORT	121,649	121,649	121,649	121,649
4650 AIR SYSTEMS SUPPORT	485,321	485,321	485,321	485,321
4700 AIRCRAFT DEPOT MAINTENANCE	1,057,747	1,127,774	1,057,747	1,092,747
4750 AIRCRAFT DEPOT OPERATIONS SUPPORT	32,083	32,083	32,083	32,083
4800 SHIP OPERATIONS				
4850 MISSION AND OTHER SHIP OPERATIONS	3,320,222	3,320,222	3,300,222	3,300,222
4900 SHIP OPERATIONS SUPPORT AND TRAINING	699,581	699,581	699,581	699,581
4950 SHIP DEPOT MAINTENANCE	4,296,544	4,298,644	4,291,544	4,293,224
5000 SHIP DEPOT OPERATIONS SUPPORT	1,170,785	1,171,785	1,170,785	1,171,585
5050 COMBAT COMMUNICATIONS/SUPPORT				
5100 COMBAT COMMUNICATIONS	601,595	601,595	601,595	601,595
5150 ELECTRONIC WARFARE	86,019	86,019	86,019	86,019
5200 SPACE SYSTEMS AND SURVEILLANCE	167,050	167,050	160,050	160,050
5250 WARFARE TACTICS	407,674	439,510	407,674	418,592
5300 OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	315,228	310,928	315,228	315,228
5350 COMBAT SUPPORT FORCES	758,789	779,289	758,789	768,789
5400 EQUIPMENT MAINTENANCE	186,794	186,794	186,794	186,794
5450 DEPOT OPERATIONS SUPPORT	3,305	5,705	3,305	5,225
5460 COMBATANT COMMANDERS CORE OPERATIONS	167,789	167,789	183,789	183,789
5470 COMBATANT COMMANDERS DIRECT MISSION SUPPORT	259,188	259,188	250,438	250,438

(In thousands of dollars)

	Budget	House	Senate	Recommendation
5500 WEAPONS SUPPORT				
5550 CRUISE MISSILE	131,895	131,895	131,895	131,895
5600 FLEET BALLISTIC MISSILE	1,145,020	1,145,020	1,145,020	1,145,020
5650 IN-SERVICE WEAPONS SYSTEMS SUPPORT	64,731	64,731	64,731	64,731
5700 WEAPONS MAINTENANCE	448,777	448,777	456,377	456,377
5750 OTHER WEAPON SYSTEMS SUPPORT	326,535	326,535	326,535	326,535
5800 BASE SUPPORT				
5850 ENTERPRISE INFORMATION TECHNOLOGY	1,095,587	1,095,587	1,072,587	1,072,587
5900 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,746,418	1,738,618	1,736,418	1,737,018
5950 BASE OPERATING SUPPORT	4,058,046	4,036,046	4,058,046	4,062,546
6000 TOTAL, BUDGET ACTIVITY 1	27,141,499	27,019,934	27,092,149	27,067,571
6050 BUDGET ACTIVITY 2: MOBILIZATION				
6100 READY RESERVE AND PREPOSITIONING FORCES				
6150 SHIP PREPOSITIONING AND SURGE	407,977	407,977	405,977	405,977
6200 ACTIVATIONS/INACTIVATIONS				
6250 AIRCRAFT ACTIVATIONS/INACTIVATIONS	7,491	7,491	7,491	7,491
6300 SHIP ACTIVATIONS/INACTIVATIONS	192,401	195,401	192,401	194,801
6350 MOBILIZATION PREPAREDNESS				
6400 FLEET HOSPITAL PROGRAM	24,546	24,546	24,546	24,546
6450 INDUSTRIAL READINESS	2,409	2,409	2,409	2,409
6500 COAST GUARD SUPPORT	25,727	25,727	25,727	25,727
6550 TOTAL, BUDGET ACTIVITY 2	660,551	663,551	658,551	660,951
6600 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
6650 ACCESSION TRAINING				
6700 OFFICER ACQUISITION	145,027	146,027	145,027	145,827
6750 RECRUIT TRAINING	11,011	11,011	11,011	11,011
6800 RESERVE OFFICERS TRAINING CORPS	127,490	127,490	127,490	127,490
6850 BASIC SKILLS AND ADVANCED TRAINING				
6900 SPECIALIZED SKILL TRAINING	477,383	467,783	477,383	483,343
6950 FLIGHT TRAINING	1,268,846	1,268,846	1,268,846	1,268,846
7000 PROFESSIONAL DEVELOPMENT EDUCATION	161,922	170,922	161,922	169,122
7050 TRAINING SUPPORT	158,685	158,685	158,685	158,685

(In thousands of dollars)

	Budget	House	Senate	Recommendation
7100 RECRUITING, AND OTHER TRAINING AND EDUCATION				
7150 RECRUITING AND ADVERTISING	276,564	263,615	271,564	272,150
7200 OFF-DUTY AND VOLUNTARY EDUCATION	154,979	154,979	155,479	155,479
7250 CIVILIAN EDUCATION AND TRAINING	101,556	101,556	101,556	101,556
7300 JUNIOR ROTC	49,161	49,161	49,161	49,161
7350 TOTAL, BUDGET ACTIVITY 3	2,932,624	2,920,075	2,928,124	2,942,670
7400 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
7450 SERVICEWIDE SUPPORT				
7500 ADMINISTRATION	768,048	768,048	766,048	766,048
7550 EXTERNAL RELATIONS	6,171	6,171	6,171	6,171
7600 CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	114,675	114,675	114,675	114,675
7650 MILITARY MANPOWER AND PERSONNEL MANAGEMENT	182,115	182,115	189,365	189,365
7700 OTHER PERSONNEL SUPPORT	298,729	298,729	294,329	298,729
7750 SERVICEWIDE COMMUNICATIONS	408,744	353,444	402,244	402,244
7850 LOGISTICS OPERATIONS AND TECHNICAL SUPPORT				
7900 SERVICEWIDE TRANSPORTATION	246,989	246,989	246,989	246,989
7950 PLANNING, ENGINEERING AND DESIGN	244,337	244,337	244,337	244,337
8000 ACQUISITION AND PROGRAM MANAGEMENT	778,501	778,501	768,501	778,501
8050 HULL, MECHANICAL AND ELECTRICAL SUPPORT	60,223	60,223	60,223	60,223
8100 COMBAT/WEAPONS SYSTEMS	17,328	17,328	17,328	17,328
8150 SPACE AND ELECTRONIC WARFARE SYSTEMS	79,065	79,065	79,065	79,065
8200 SECURITY PROGRAMS				
8250 NAVAL INVESTIGATIVE SERVICE	515,989	515,989	520,989	519,989
8300 SUPPORT OF OTHER NATIONS				
8350 INTERNATIONAL HEADQUARTERS AND AGENCIES	5,918	5,918	5,918	5,918
8400 OTHER PROGRAMS				
8450 OTHER PROGRAMS	608,840	610,840	608,491	611,240
8500 TOTAL, BUDGET ACTIVITY 4	4,335,672	4,282,372	4,324,673	4,340,822
8575 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION.	---	---	-230,000	---
8577 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-197,618
8580 CIVILIAN PERSONNEL UNDEREXECUTION	---	---	---	-100,000
9100 TOTAL, OPERATION AND MAINTENANCE, NAVY	35,070,346	34,885,932	34,773,497	34,714,396

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Recommendation
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	3,814,000	3,598,672	3,814,000	3,724,004
	Average Underexecution		-35,336		
	Excessive Flying Hour Growth		-179,992		-89,996
1A2A	FLEET AIR TRAINING	120,868	120,868	121,668	121,668
	Naval Strike Air Warfare Center OEF/OIF training (Terminal Attack Control)			800	800
1A5A	AIRCRAFT DEPOT MAINTENANCE	1,057,747	1,127,774	1,057,747	1,092,747
	Aircraft		70,027		35,000
1B1B	MISSION AND OTHER SHIP OPERATIONS	3,320,222	3,320,222	3,300,222	3,300,222
	Removal of one-time fiscal year 2009 cost			-20,000	-20,000
1B4B	SHIP DEPOT MAINTENANCE	4,296,544	4,298,644	4,291,544	4,293,224
	Puget Sound Naval Maintenance and Repair Process Improvements		2,100		1,680
	Administrative Savings Proposal: Improve Submarine Maintenance Procedures			-5,000	-5,000
1B5B	SHIP DEPOT OPERATIONS SUPPORT	1,170,785	1,171,785	1,170,785	1,171,585
	ATIS Maintenance and Enhancement Program		1,000		800
1C3C	SPACE SYSTEMS AND SURVEILLANCE	167,050	167,050	160,050	160,050
	Unjustified Growth for SURTASS			-7,000	-7,000
1C4C	WARFARE TACTICS	407,674	439,510	407,674	418,592
	Program Increase - Rebalance Training Program		31,836		10,918
1C5C	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	315,228	310,928	315,228	315,228
	Average Underexecution		-4,300		
1C6C	COMBAT SUPPORT FORCES	758,789	779,289	758,789	768,789
	Fleet Forces Command NAVAF Africa Partnership Station East and West		20,500		10,000
1C8C	DEPOT OPERATIONS SUPPORT	3,305	5,705	3,305	5,225
	Fleet Readiness Data Assessment		2,400		1,920
1CCH	COMBATANT COMMANDERS CORE OPERATIONS	167,789	167,789	183,789	183,789
	Asia Pacific Regional Initiative			16,000	16,000
1CCM	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	259,188	259,188	250,438	250,438
	National Program for Small Unit Excellence			-8,750	-8,750
1D4D	WEAPONS MAINTENANCE	448,777	448,777	456,377	456,377
	Unjustified Growth for STUAS			-4,400	-4,400

O-1		Budget Request	House	Senate	Recommendation
	Mk 45 Mod 5" Gun Depot Overhauls			12,000	12,000
BSIT	ENTERPRISE INFORMATION	1,095,587	1,095,587	1,072,587	1,072,587
	Administrative Savings Proposal: Eliminate Inactive Internet/Intranet Accounts			-5,000	-5,000
	Administrative Savings Proposal: Make Corporate Software License Purchases			-18,000	-18,000
BSM1	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,746,418	1,738,618	1,736,418	1,737,018
	Average Underexecution		-8,400		
	Puget Sound Navy Museum		600		600
	Removal of one-time fiscal year 2009 Congressional Increases			-10,000	-10,000
BSS1	BASE OPERATING SUPPORT	4,058,046	4,036,046	4,058,046	4,062,546
	Average Underexecution		-27,500		
	Brown Tree Snake Program		500		500
	Enhanced Navy Shore Readiness Integration		5,000		4,000
2A1F	SHIP PREPOSITIONING AND SURGE	407,977	407,977	405,977	405,977
	Removal of one-time fiscal year 2009 cost			-2,000	-2,000
2B2G	SHIP ACTIVATIONS/INACTIVATIONS	192,401	195,401	192,401	194,801
	Navy Ship Disposal - Carrier Demonstration Project		3,000		2,400
3A1J	OFFICER ACQUISITION	145,027	146,027	145,027	145,827
	Diversity Recruitment for Naval Academy		1,000		800
3B1K	SPECIALIZED SKILL TRAINING	477,383	467,783	477,383	483,343
	Average Underexecution		-20,800		
	Program Increase - Re-balance Training Programs		10,000		5,000
	Institute for Threat Reduction and Response- Simulated and Virtual Training Environments		1,200		960
3B3K	PROFESSIONAL DEVELOPMENT EDUCATION	161,922	170,922	161,922	169,122
	Center for Defense Technology and Education for the Military Services (CDTEMS)		7,000		5,600
	Continuing Education - Distance Learning at Military Installations		2,000		1,600
3C1L	RECRUITING AND ADVERTISING	276,564	263,615	271,564	272,150
	Naval Cadet Corps		651		586
	Average Underexecution		-13,600		
	Eliminate Requested Program Growth for Advertising			-5,000	-5,000
3C3L	OFF-DUTY AND VOLUNTARY EDUCATION	154,979	154,979	155,479	155,479
	Energy Education and Training for Military Personnel			500	500
4A1M	ADMINISTRATION	768,048	768,048	766,048	766,048
	Unjustified Growth			-2,000	-2,000

O-1		Budget Request	House	Senate	Recommendation
4A4M	MANAGEMENT	182,115	182,115	189,365	189,365
	Transferred from O&M Defense-Wide, BTA for DIMHRS			7,250	7,250
4A5M	OTHER PERSONNEL SUPPORT	298,729	298,729	294,329	298,729
	Removal of one-time costs Budgeted for Guam			-4,400	0
4A6M	SERVICEWIDE COMMUNICATIONS	408,744	353,444	402,244	402,244
	Average Underexecution		-55,300		
	SPAWAR Business Office Unjustified Increase			-6,500	-6,500
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	778,501	778,501	768,501	778,501
	Unjustified Growth			-10,000	0
4C1P	NAVAL INVESTIGATIVE SERVICE	515,989	515,989	520,989	519,989
	Digitization, Integration, and Analyst Access of Investigative Files, Naval Criminal Investigative Services			5,000	4,000
	OTHER PROGRAMS	608,840	610,840	608,491	611,240
	Classified Adjustment		2,000	-349	2,400
Budget Activity 4		4,335,672	4,282,372	4,324,673	4,340,822
	Undistributed Reduction Due to Historic R&M Migration			-230,000	
	Undistributed Reduction Due to Historic Underexecution				-197,618
	Civilian Personnel Hiring Plan				-100,000

NAVAL AIR STATION, MOFFETT FIELD

The future of the Hanger One site at the former Naval Air Station (NAS) Moffett Field remains uncertain, and the Department of the Navy and the National Aeronautics and Space Administration are encouraged to continue to work with the Office of Management and Budget to reach an expeditious recommendation for the environmental remediation and restoration of the facility.

JOINT POW/ MIA ACCOUNTING COMMAND

The Secretary of Defense is directed that, of the funds available within Operation and Maintenance, Navy, $67,417,000 shall be for the Joint POW/MIA Accounting Command.

OPERATION AND MAINTENANCE, MARINE CORPS

For Operation and Maintenance, Marine Corps, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
9250 OPERATION AND MAINTENANCE, MARINE CORPS				
9300 BUDGET ACTIVITY 1: OPERATING FORCES				
9350 EXPEDITIONARY FORCES				
9400 OPERATIONAL FORCES	730,931	752,860	738,631	751,396
9450 FIELD LOGISTICS	591,020	591,020	591,020	591,020
9500 DEPOT MAINTENANCE	80,971	80,971	80,971	80,971
9550 USMC PREPOSITIONING				
9600 MARITIME PREPOSITIONING	72,182	72,182	72,182	72,182
9650 NORWAY PREPOSITIONING	5,090	5,090	5,090	5,090
9700 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	666,330	666,330	660,730	660,730
9750 BASE OPERATING SUPPORT	2,250,191	2,250,191	2,156,791	2,242,791
9760 NET ZERO TECHNICAL ADJUSTMENT TO BUDGET ACTIVITY 1	---	-60,000	-60,000	-60,000
9800 TOTAL, BUDGET ACTIVITY 1	4,396,715	4,358,644	4,245,415	4,344,180
9850 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
9900 ACCESSION TRAINING				
9950 RECRUIT TRAINING	16,129	16,129	16,129	16,129
10000 OFFICER ACQUISITION	418	418	418	418
10050 BASIC SKILLS AND ADVANCED TRAINING				
10100 SPECIALIZED SKILLS TRAINING	67,336	75,794	67,336	71,565
10150 FLIGHT TRAINING	369	269	369	369
10200 PROFESSIONAL DEVELOPMENT EDUCATION	28,112	28,112	28,112	28,112
10250 TRAINING SUPPORT	330,885	330,885	330,885	330,885
10300 RECRUITING AND OTHER TRAINING EDUCATION				
10350 RECRUITING AND ADVERTISING	240,832	240,832	240,832	240,832
10400 OFF-DUTY AND VOLUNTARY EDUCATION	64,254	54,854	64,254	64,254
10450 JUNIOR ROTC	19,305	19,305	19,305	19,305
10600 TOTAL, BUDGET ACTIVITY 3	767,640	766,598	767,640	771,860

(In thousands of dollars)

	Budget	House	Senate	Recommendation
10650 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
10700 SERVICEWIDE SUPPORT				
10750 SPECIAL SUPPORT	299,065	299,565	299,065	299,565
10800 SERVICEWIDE TRANSPORTATION	28,924	28,924	28,924	28,924
10850 ADMINISTRATION	43,879	43,779	43,879	43,879
10960 NET ZERO TECHNICAL ADJUSTMENT TO BUDGET ACTIVITY 4	---	60,000	60,000	60,000
11000 TOTAL, BUDGET ACTIVITY 4	371,868	432,268	431,868	432,368
11025 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION	---	---	-9,000	---
11027 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-9,300
11400 TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	5,536,223	5,557,510	5,435,923	5,539,117

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Recommendation
1A1A OPERATIONAL FORCES	730,931	752,860	738,631	751,396
Program Increase - Re-balance Training Programs		13,929		6,965
Flame Resistant High Performance Apparel		1,500		1,200
MGPTS Type III or Rapid Deployable Shelter		3,000		2,400
Ultra Lightweight Camouflage Net System (ULCANS)		3,500		2,800
Family of Shelters and Tents			2,000	1,600
Hemostatic Combat Gauze			1,000	800
Spray Technique Analysis and Research for Defense (STAR4D)			2,200	2,200
Rapid Data Management System			2,500	2,500
BSM1 SUSTAINMENT, RESTORATION, & MODERNIZATION	666,330	666,330	660,730	660,730
Henderson Hall Joint Basing Initiative not Properly Accounted for			-1,200	-1,200
Relocation of Forces Growth not Properly Accounted for			-4,400	-4,400
BSS1 BASE OPERATING SUPPORT	2,250,191	2,250,191	2,156,791	2,242,791
Removal of One-Time Congressional Increases			-4,400	-4,400
Henderson Hall Joint Basing Initiative not Properly Accounted for			-3,000	-3,000
Family Support Programs - Transfer to OCO			-86,000	
Net Zero Technical Adjustment - Undistributed to BA-1		-60,000	-60,000	-60,000
3B1D SPECIALIZED SKILL TRAINING	67,336	75,794	67,336	71,565
Program Increase - Re-balance Training Programs		8,458		4,229
3B2D FLIGHT TRAINING	369	269	369	369
Average Underexecution		-100		
3C2F OFF-DUTY AND VOLUNTARY EDUCATION	64,254	54,854	64,254	64,254
Average Underexecution		-9,400		
4A2G SPECIAL SUPPORT	299,065	299,565	299,065	299,565
Classified Adjustment		500		500
4A4G ADMINISTRATION	43,879	43,779	43,879	43,879
Average Underexecution		-100		
Net Zero Technical Adjustment - Undistributed to BA-4		60,000	60,000	60,000
Undistributed Reduction Due to Historic R&M Migration			-9,000	
Undistributed Reduction Due to Historic Underexecution				-9,300

WATER CONTAMINATION CLAIMS AT CAMP LEJEUNE.

During fiscal year 2010, the Secretary of the Navy may not dispose of claims filed regarding water contamination at Camp Lejeune, North Carolina, until the Agency for Toxic Substances and Disease Registry (ATSDR) fully completes all current, ongoing epidemiological and water modeling studies pending as of the date of the enactment of this Act.

OPERATION AND MAINTENANCE, AIR FORCE

For Operation and Maintenance, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
12000 OPERATION AND MAINTENANCE, AIR FORCE				
12050 BUDGET ACTIVITY 1: OPERATING FORCES				
12100 AIR OPERATIONS				
12150 PRIMARY COMBAT FORCES	4,017,156	3,917,156	3,936,996	3,936,996
12250 COMBAT ENHANCEMENT FORCES	2,754,563	2,676,863	2,754,563	2,754,563
12300 AIR OPERATIONS TRAINING	1,414,913	1,416,413	1,414,913	1,416,113
12400 DEPOT MAINTENANCE	2,389,738	2,391,978	2,348,426	2,349,666
12450 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,420,083	1,420,083	1,420,083	1,420,083
12500 BASE OPERATING SUPPORT	2,859,943	2,859,943	2,735,301	2,734,911
12550 COMBAT RELATED OPERATIONS				
12600 GLOBAL C3I AND EARLY WARNING	1,411,813	1,411,813	1,411,813	1,411,813
12700 OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	880,353	880,353	885,284	884,484
12850 TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	552,148	552,148	552,148	552,148
12900 SPACE OPERATIONS				
12950 LAUNCH FACILITIES	356,367	356,367	356,367	356,367
13050 SPACE CONTROL SYSTEMS	725,646	725,646	725,646	725,646
13260 COMBATANT COMMANDERS DIRECT MISSION SUPPORT	608,796	608,796	608,796	588,796
13270 COMBATANT COMMANDERS CORE OPERATIONS	216,073	198,073	216,073	211,073
13280 UNDISTRIBUTED REDUCTION	---	-183,000	---	-183,000
13300 TOTAL, BUDGET ACTIVITY 1	19,607,592	19,232,632	19,366,409	19,159,659

(In thousands of dollars)

	Budget	House	Senate	Recommendation
13350 BUDGET ACTIVITY 2: MOBILIZATION				
13400 MOBILITY OPERATIONS				
13450 AIRLIFT OPERATIONS	2,932,080	2,936,080	2,932,080	2,925,280
13550 MOBILIZATION PREPAREDNESS	211,858	211,858	211,858	211,858
13650 DEPOT MAINTENANCE	332,226	332,226	332,226	332,226
13700 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	362,954	362,954	362,954	362,954
13750 BASE SUPPORT	657,830	657,830	652,038	652,038
13755 UNDISTRIBUTED (AVERAGE UNDEREXECUTION)	---	-230,000	---	---
13800 TOTAL, BUDGET ACTIVITY 2	4,496,948	4,270,948	4,491,156	4,484,356
13850 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
13900 ACCESSION TRAINING				
13950 OFFICER ACQUISITION	120,870	120,870	121,170	121,170
14000 RECRUIT TRAINING	18,135	18,135	15,871	15,871
14050 RESERVE OFFICER TRAINING CORPS (ROTC)	88,414	88,414	88,414	88,414
14100 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	372,788	372,788	372,788	372,788
14150 BASE SUPPORT (ACADEMIES ONLY)	685,029	685,029	643,218	643,218
14200 BASIC SKILLS AND ADVANCED TRAINING				
14250 SPECIALIZED SKILL TRAINING	514,048	516,048	482,761	484,361
14300 FLIGHT TRAINING	833,005	738,355	833,005	834,005
14350 PROFESSIONAL DEVELOPMENT EDUCATION	215,676	217,676	218,676	218,676
14400 TRAINING SUPPORT	118,877	118,877	118,877	118,877
14450 DEPOT MAINTENANCE	576	576	576	576
14600 RECRUITING, AND OTHER TRAINING AND EDUCATION				
14650 RECRUITING AND ADVERTISING	152,983	153,533	145,807	146,357
14700 EXAMINING	5,584	5,584	5,584	5,584
14750 OFF DUTY AND VOLUNTARY EDUCATION	188,198	188,198	188,198	188,198
14800 CIVILIAN EDUCATION AND TRAINING	174,151	174,151	174,151	174,151
14850 JUNIOR ROTC	67,549	67,549	67,549	67,549
14900 TOTAL, BUDGET ACTIVITY 3	3,555,883	3,465,763	3,476,645	3,479,795

(In thousands of dollars)

	Budget	House	Senate	Recommendation
14950 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
15000 LOGISTICS OPERATIONS				
15050 LOGISTICS OPERATIONS	1,055,672	1,018,272	1,055,672	1,058,072
15100 TECHNICAL SUPPORT ACTIVITIES	735,036	735,036	735,036	735,036
15200 DEPOT MAINTENANCE	15,411	15,411	15,411	15,411
15250 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	359,562	359,562	359,562	359,562
15300 BASE SUPPORT	1,410,097	1,415,097	1,409,192	1,413,192
15350 SERVICEWIDE ACTIVITIES				
15400 ADMINISTRATION	646,080	636,080	653,330	651,330
15450 SERVICEWIDE COMMUNICATIONS	664,498	579,898	581,951	581,951
15600 OTHER SERVICEWIDE ACTIVITIES	1,062,803	1,065,803	1,062,803	1,062,803
15700 CIVIL AIR PATROL CORPORATION	22,433	26,433	22,433	26,433
15850 SECURITY PROGRAMS				
15900 SECURITY PROGRAMS	1,066,157	1,068,057	1,144,860	1,149,804
15950 SUPPORT TO OTHER NATIONS				
16000 INTERNATIONAL SUPPORT	49,987	49,987	49,987	49,987
16050 TOTAL, BUDGET ACTIVITY 4	7,087,736	6,969,636	7,090,237	7,103,581
17260 CIVILIAN HIRING PLAN--REDUCE GROWTH FROM 28% TO 18%	---	-104,250	---	-50,125
17265 CENTCOM INFORMATION OPS MEDIA PRODUCTION	---	-49,400	---	---
17285 EXCESS WORKING CAPITAL FUND CARRY OVER	---	---	-85,000	-85,000
17290 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION	---	---	-600,000	---
17297 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-615,150
17350 TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	34,748,159	33,785,349	33,739,447	33,477,116

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Recommendation
011A PRIMARY COMBAT FORCES	4,017,156	3,917,156	3,936,996	3,936,996
Average Underexecution		-100,000		
Administrative Savings Proposal - Commercial Jet A Turbine Fuel			-52,000	-52,000
Consolidation of the B-52 Field Training Unit under AFRC (Transferred to O&M, Air Force Reserve)			-28,160	-28,160
011C COMBAT ENHANCEMENT FORCES	2,754,563	2,676,863	2,754,563	2,754,563
Average Underexecution		-77,700		
011D AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,414,913	1,416,413	1,414,913	1,416,113
Air Education and Training Command Range Improvements at the Barry M.Goldwater Range		1,500		1,200
011M DEPOT MAINTENANCE	2,389,738	2,391,978	2,348,426	2,349,666
Joint Aircrew Combined System Tester (JCAST)		2,000		1,600
Wage Issue Modification for USFORAZORES Portuguese National Employees		240		240
Consolidation of the B-52 Field Training Unit under AFRC (Transferred to O&M, Air Force Reserve)			-44,312	-44,312
USAF Engine Trailer Life Extension Program			3,000	2,400
011Z BASE SUPPORT	2,859,943	2,859,943	2,735,301	2,734,911
Eliminate Military Endstrength Drawdown Installation Support Tail			-132,492	-132,492
Administrative Savings Proposal: Web-Enabled Building Control at Vandenberg AFB			-1,000	-1,000
Alaska Joint Command and Control Infrastructure and Physical Security			1,950	1,560
Joint Pacific Alaska Range Complex (JPARC) Enhancements			6,900	6,900
012C OTHER COMBAT OPS SPT PROGRAMS	880,353	880,353	885,284	884,484
Mission Essential Airfield Operations Equipment			931	931
National Center for Integrated Civilian-Military Domestic Disaster Medical Response (Transferred from line number 15B)			4,000	3,200
015A COMBATANT COMMANDERS DIRECT MISSION SUPPORT	608,796	608,796	608,796	588,796
CENTCOM Information Operations				-20,000
015B COMBATANT COMMANDERS CORE OPERATIONS	216,073	198,073	216,073	211,073
U.S. NORTHCOM Staff Operations - unjustified growth in civilian personnel		-10,000		-3,000
HQ USNORTHCOM-National Center for Integrated Civilian-Military Domestic Disaster Medical Response (Transferred to line number 12C)		2,000		
Administrative Efficiencies - U.S. CENTCOM Staff Travel		-10,000		-2,000
Unexecutable Flying Hour Program - Undistributed to BA-		-183,000		-183,000

O-1	Budget Request	House	Senate	Recommendation
021A AIRLIFT OPERATIONS	2,932,080	2,936,080	2,932,080	2,925,280
Warner Robins Air Logistics Center Strategic Airlift Aircraft Availability Improvement		4,000		3,200
Fee for Service Refueling				-10,000
021Z BASE SUPPORT	657,830	657,830	652,038	652,038
Eliminate Military Endstrength Drawdown Installation Support Tail			-5,792	-5,792
031A OFFICER ACQUISITION	120,870	120,870	121,170	121,170
Air Force Academy Space and Defense Studies Research and Curriculum Development			300	300
031B RECRUIT TRAINING	18,135	18,135	15,871	15,871
Active Duty Accessions Increase			-2,264	-2,264
031Z BASE SUPPORT	685,029	685,029	643,218	643,218
Eliminate Military Endstrength Drawdown Installation Support Tail			-41,811	-41,811
032A SPECIALIZED SKILL TRAINING	514,048	516,048	482,761	484,361
Military Medical Training and Disaster Response Program		2,000		1,600
Active Duty Accessions Increase			-31,287	-31,287
032B FLIGHT TRAINING	833,005	738,355	833,005	834,005
Average Underexecution		-95,900		
Minority Aviation Training Program		1,250		1,000
032C PROFESSIONAL DEVELOPMENT EDUCATION	215,676	217,676	218,676	218,676
Defense Critical Languages and Cultures Initiative		2,000	3,000	3,000
033A RECRUITING AND ADVERTISING	152,983	153,533	145,807	146,357
Diversity Recruitment for Air Force Academy		550		550
Active Duty Accessions Increase			-7,176	-7,176
041A LOGISTICS OPERATIONS	1,055,672	1,018,272	1,055,672	1,058,072
Average Underexecution		-40,400		
Advanced Autonomous Robotic Inspections for Aging Aircraft		1,000		800
Expert Knowledge Transformation Project		2,000		1,600
041Z BASE SUPPORT	1,410,097	1,415,097	1,409,192	1,413,192
Demonstration Project for Contractors Employing Persons with Disabilities		4,000		3,200
MacDill Air Force Base Online Technology Program		1,000		800
Eliminate Military Endstrength Drawdown Installation Support Tail			-905	-905

O-1	Budget Request	House	Senate	Recommendation
042A ADMINISTRATION	646,080	636,080	653,330	651,330
Unjustified request for personal delivery systems - Office of the Secretary of the Air Force and Air Staff Operations		-10,000		-2,000
Transferred from O&M, Defense-Wide BTA for DIMHRS			7,250	7,250
042B SERVICEWIDE COMMUNICATIONS	664,498	579,898	581,951	581,951
Average Underexecution		-86,300		
Research Cybersecurity of Critical Control Networks (Transferred to RDT&E, Air Force line number 2)		1,700		
Technical Adjustment per DOD Errata Sheet dated June 3, 2009			-82,547	-82,547
042G OTHER SERVICEWIDE ACTIVITIES	1,062,803	1,065,803	1,062,803	1,062,803
Engine Health Management Plus Data Repository Center (Transferred to RDT &E, Air Force line number 233)		3,000		
042I CIVIL AIR PATROL	22,433	26,433	22,433	26,433
Civil Air Patrol		4,000		4,000
043A SECURITY PROGRAMS	1,066,157	1,068,057	1,144,860	1,149,804
Classified Adjustment		1,900	-3,844	1,100
Technical Adjustment Per DOD Errata Sheet dated 3 June 2009			82,547	82,547
Undistributed Excessive Growth of Civilian Personnel		-104,250		-50,125
Undistributed CENTCOM Information Operations Media Production		-49,400		0
Undistributed Reduction Due to Historic R&M Migration			-600,000	
Undistributed Reduction Due to Historic Underexecution				-615,150
Excess Working Capital Fund Carry Over			-85,000	-85,000

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For Operation and Maintenance, Defense-Wide, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
18000 OPERATION AND MAINTENANCE, DEFENSE-WIDE				
18050 BUDGET ACTIVITY 1: OPERATING FORCES				
18100 JOINT CHIEFS OF STAFF	457,169	432,169	423,479	423,479
18200 SPECIAL OPERATIONS COMMAND	3,611,492	3,598,992	3,603,492	3,607,772
18250 TOTAL, BUDGET ACTIVITY 1	4,068,661	4,031,161	4,026,971	4,031,251
18400 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
18450 DEFENSE ACQUISITION UNIVERSITY	115,497	115,497	110,497	110,497
18650 NATIONAL DEFENSE UNIVERSITY	103,408	103,408	103,408	103,408
18750 TOTAL, BUDGET ACTIVITY 3	218,905	218,905	213,905	213,905
18800 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
18950 CIVIL MILITARY PROGRAMS	132,231	137,231	157,231	147,231
19000 DEFENSE BUSINESS TRANSFORMATION AGENCY	139,579	139,579	116,829	116,829
19050 DEFENSE CONTRACT AUDIT AGENCY	458,316	458,316	458,316	458,316
19150 DEFENSE INFORMATION SYSTEMS AGENCY	1,322,163	1,226,932	1,298,663	1,289,163
19250 DEFENSE LEGAL SERVICES AGENCY	42,532	42,532	42,532	42,532
19300 DEFENSE LOGISTICS AGENCY	405,873	378,454	413,873	377,454
19350 DEFENSE MEDIA ACTIVITY	253,667	253,667	253,667	253,667
19400 DEFENSE POW /MISSING PERSONS OFFICE	20,679	20,679	20,679	20,679
19450 DEFENSE TECHNOLOGY SECURITY AGENCY	34,325	34,325	34,325	34,325
19500 DEFENSE THREAT REDUCTION AGENCY	385,453	378,198	385,453	385,453
19600 DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION	2,302,116	2,302,116	2,298,116	2,292,116
19700 DEFENSE HUMAN RESOURCES ACTIVITY	665,743	671,343	628,243	632,223
19750 DEFENSE CONTRACT MANAGEMENT AGENCY	1,058,721	1,058,721	1,058,721	1,058,721
19850 DEFENSE SECURITY COOPERATION AGENCY	721,756	396,756	621,756	621,756
19950 DEFENSE SECURITY SERVICE	497,857	487,888	497,857	497,857
20050 OFFICE OF ECONOMIC ADJUSTMENT	37,166	167,932	37,166	120,738
20100 OFFICE OF THE SECRETARY OF DEFENSE	1,955,985	1,931,024	1,932,985	1,919,985
20250 WASHINGTON HEADQUARTERS SERVICES	589,309	589,309	592,509	592,509
20350 TOTAL, BUDGET ACTIVITY 4	11,023,471	10,675,002	10,848,921	10,861,554

(In thousands of dollars)

	Budget	House	Senate	Recommendation
20400 IMPACT AID	---	44,000	30,000	37,000
20450 IMPACT AID FOR CHILDREN WITH DISABILITIES	---	---	5,000	4,000
20500 OTHER PROGRAMS	13,046,209	12,954,309	13,080,253	12,963,083
20900 SOLDIER CENTER AT PATRIOT PARK, FT. BENNING	---	5,000	---	4,000
20950 MILITARY INTELLIGENCE SERVICE HISTORIC LEARNING CENTER	---	1,000	---	1,000
21550 TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	28,357,246	27,929,377	28,205,050	28,115,793

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
JOINT CHIEFS OF STAFF	**457,169**	**432,169**	**423,479**	**423,479**
Combatant Commanders Initiative Fund		-25,000	-25,000	-25,000
Budget Justification does not properly account for In-Sourcing adjustment			-8,690	-8,690
SPECIAL OPERATIONS COMMAND	**3,611,492**	**3,598,992**	**3,603,492**	**3,607,772**
Special Operations Forces Modular Glove System		1,500	5,000	4,780
SOCOM Care Coalition Recovery Programs		2,000		2,000
SOCOM Information Operations		-16,000		0
Program Termination of ASDS			-8,000	-8,000
Budget Justification does not match summary of Price and Program Changes for DISA services			-5,000	-5,000
NSW Protective Combat Uniform (Transferred from Procurement, Defense-Wide line number 87)				2,500
DEFENSE ACQUISITION UNIVERSITY	**115,497**	**115,497**	**110,497**	**110,497**
Removal of one-time fiscal year 2009 costs			-5,000	-5,000
CIVIL MILITARY PROGRAMS	**132,231**	**137,231**	**157,231**	**147,231**
National Guard Youth Challenge Program		5,000	25,000	15,000
DEFENSE BUSINESS TRANSFORMATION AGENCY	**139,579**	**139,579**	**116,829**	**116,829**
Budget Justification does not properly account for In-Sourcing adjustment			-1,000	-1,000
DIMHRS Transferred to Services (Army, Navy and Air Force)			-21,750	-21,750
DEFENSE INFORMATION SYSTEMS AGENCY	**1,322,163**	**1,226,932**	**1,298,663**	**1,289,163**
Comprehensive National Cybersecurity Initiative – unexecutable growth		-31,098		-9,500
Shared Service Units/PEOs unjustified program growth		-8,209		
Senior Leadership Enterprise – unjustified request		-55,924		
Removal of one-time fiscal year 2009 costs for CENTRIX and NCES			-22,000	-22,000
Program adjustment for NECC			-9,602	-9,602
Transfer of NECC Funding to Support GCCS-J Sustainment			9,602	9,602
Budget Justification does not properly account for In-Sourcing adjustment			-1,500	-1,500
DEFENSE LOGISTICS AGENCY	**405,873**	**378,454**	**413,873**	**377,454**
Facilities Sustainment – unexecutable increase		-36,419		-36,419
Program Increase - Procurement Technical Assistance Program		9,000	9,000	9,000
Budget Justification does not properly account for In-Sourcing adjustment			-1,000	-1,000
DEFENSE THREAT REDUCTION AGENCY	**385,453**	**378,198**	**385,453**	**385,453**
WMD Combat Support and Operations – unjustified growth		-7,255		
DEFENSE DEPENDENTS EDUCATION	**2,302,116**	**2,302,116**	**2,298,116**	**2,292,116**
Budget Justification does not properly account for In-Sourcing adjustment			-10,000	-10,000
SOAR (Student Online Achievement Resources) Funded in Section 8083			6,000	0

	Budget Request	House	Senate	Recommendation
DEFENSE HUMAN RESOURCES ACTIVITY	665,743	671,343	628,243	632,223
Strategic Language Initiative		3,600		2,880
Translation and Interpretation Skills for DoD		2,000		1,600
Cut one-time costs due to realignment of periods of performance for contracts in fiscal year 2009			-30,000	-30,000
Budget Justification does not properly account for In-Sourcing adjustment			-10,000	-10,000
Defense-Critical Languages and Cultures Program			2,500	2,000
DEFENSE SECURITY COOPERATION AGENCY	721,756	396,756	621,756	621,756
Global Train and Equip (1206)		-150,000		
Security and Stabilization (1207)		-175,000	-100,000	-100,000
DEFENSE SECURITY SERVICE	497,857	487,888	497,857	497,857
Security Education Training and Awareness Program – unjustified growth		-5,077		
Counterintelligence Program – unjustified growth		-4,892		
OFFICE OF ECONOMIC ADJUSTMENT	37,166	251,504	37,166	120,738
Community Economic Assistance Grants – restore proposed cut		13,626		7,000
Norton AFB (New and Existing Infrastructure Improvements)		6,000		4,800
George AFB (New and Existing Infrastructure Improvements)		1,000		1,000
McClellan AFB Infrastructure Improvements		1,000		800
Thorium/Magnesium Excavation - Blue Island		2,000		1,600
Almaden AFS Environmental Assessment and Remediation		4,000		3,200
Naval Station Ingleside Redevelopment		1,000		1,000
Phase I of Berth N-2 Reconstruction of MOTBY Ship Repair Facility		4,500		3,600
Castner Range Conservation Conveyance Study		300		300
Drydock #1 Remediation and Disposal		3,000		3,000
Eliminate Public Safety Hazards		1,340		1,072
Hunters Point Naval Shipyard Remediation		9,000		9,000
Remediation of Jet Fuel Contamination at Floyd Bennett Field		3,000		2,400
Centerville Naval Housing Transfer		6,000		4,800
Brigade Basing Remediation - Support to Public Entities		75,000		40,000

	Budget Request	House	Senate	Recommendation
OFFICE OF THE SECRETARY OF DEFENSE	1,955,985	1,931,024	1,932,985	1,919,985
Office of the ASD (Public Affairs) Support – unjustified growth attributed to AFIS consolidation		-3,524		-2,000
CE2T2 – constrained program growth		-29,437		-15,000
Middle East Regional Security Program		3,000		2,400
Critical Language Training		2,000		1,600
Program Increase - OSD Cost Analysis and Program Evaluation (CAPE) Group, Industrial Base Analyses		3,000		0
National Security Space Office (Transferred from RDT&E, Air Force line number 214)				7,000
Budget Justification does not properly account for In-Sourcing adjustment			-48,000	-48,000
Readiness and Environmental Protection Initiative (REPI)			25,000	18,000
WASHINGTON HEADQUARTERS SERVICES	589,309	589,309	592,509	592,509
Wartime Contracting Commission (WHS)			3,200	3,200
OTHER PROGRAMS	13,046,209	12,954,309	13,080,253	12,963,083
Classified Adjustments		-91,900	33,044	-86,526
Armed Forces Health and Food Supply Research			1,000	800
Counter Threat Finance-Global (Transferred from ICMA)				1,600
MS GIS Educational and Research Program (transferred from RDT&E, Defense-Wide line 999)				1,000
IMPACT AID		44,000	30,000	37,000
IMACT AID FUNDING FOR CHILDREN WITH DISABILITIES			5,000	4,000
UNDISTRIBUTED		6,000		5,000
Soldier Center at Patriot Park, Ft. Benning		5,000		4,000
Military Intelligence Service Historic Learning Center		1,000		1,000

DEFENSE INFORMATION SYSTEMS AGENCY

Funding for the Senior Leadership Enterprise (SLE), in the amount of $55,924,000 is restored following a briefing by representatives from the Defense Information Systems Agency (DISA). It is concerning that DISA failed to include any information on SLE in either the classified or unclassified budget justification documents. Further, DISA failed to respond to repeated requests for information on SLE prior to the House markup of the fiscal year 2010 Defense Appropriations bill. Because DISA's request for this new program lacked any budget justification or explanation, the House declined to fund the request. The Director, Defense Information Systems Agency is urged to review the organization's legislative affairs operations to ensure more responsive, effective communications with Congress in the future.

SECURITY AND STABILIZATION ASSISTANCE (SECTION 1207 AUTHORITY)

The recommendation includes $97,090,000 for the Security and Stabilization Assistance Program. It is not anticipated that additional Department of Defense resources will be provided to this program in the future. The recommendation is $100,000,000 below the budget request, which is similar to the amount recommended for the Complex Crises Fund and Transitions Initiatives in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010. The Complex Crises Fund was recently created to provide the United States Agency for International Development (USAID) and the Department of State with increased resources and flexibility to respond to urgent requirements, in much the same manner and for similar purposes as projects funded under section 207. The establishment of the Complex. Crises Fund will enable USAID and the Department of State to meet emergent requirements that fall under their purview without relying on the Department of Defense. The $97,090,000 recommended for Security and Stabilization Assistance is provided as a bridging mechanism until the Complex Crises Fund is fully implemented. Although future Security and Stabilization Assistance projects should be funded in USAID and Department of State budget requests, the Secretary of Defense, the Director, USAID and the Secretary of State are directed to maintain and strengthen the interagency process created from the section 1207 program when formulating, reviewing, and approving future projects that would have been funded through section 1207.

BRIGADE BASING REMEDIATION

The House report expressed concerns regarding the impact on local communities following a decision by the Secretary of Defense to reverse the planned growth in the number of Army Brigade Combat Teams (BCT) from 45 to 48. The report called for in the House report on efforts by the Department to mitigate the impact of this decision is of great interest, and the Department of Defense is expected to act promptly to prepare this report.

OFFICE OF THE UNDER SECRETARY OF DEFENSE (COMPTROLLER) AND CHIEF FINANCIAL OFFICER

The recommendation provides $2,348,000 for the Office of the Under Secretary of Defense (Comptroller) and Chief Financial Officer for the costs associated with the recruitment, hiring, training, retention and pay for additional Federal employees to improve fiscal management and oversight. The Department is strongly urged to exempt the Office of the Under Secretary of Defense (Comptroller) and Chief Financial Officer from internal Department headquarters personnel ceilings if necessary to ensure proper fiscal management and budget oversight.

COMMISSION ON WARTIME CONTRACTING

The recommendation includes an additional $3,200,000 for the Commission on Wartime Contracting, providing a total of $12,300,000 for Commission operations in fiscal year 2010.

NATIONAL SECURITY SPACE OFFICE

The recommendation strongly supports an integrated national security space architecture planning function that provides strategic, senior-level decision-making within the Department of Defense with timely and cogent space system architecture alternatives. Therefore, the recommendation provides $7,000,000 for the National Security Space Office (NSSO) and transfers the management and tasking to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD (AT&L)), Space and Intelligence Office (SIO). This new arrangement will accomplish the original intent of the office as the Department of Defense's space architecture planning organization. Therefore, the USD(AT&L)/SIO is directed to revise the NSSO charter and provide a roadmap and goals to the congressional defense committees within 180 days of enactment of this Act on how this office will be used in future space system architecture planning.

MILITARY VOTING

A number of new authorities have been established in the National Defense Authorization Act for Fiscal Year 2010 with regard to military voting. The Department of Defense is expected to use the necessary resources to implement these new requirements and to ensure that uniformed servicemembers, their family members, and overseas citizens have the full opportunity to vote, particularly at a time when so many military personnel are serving in combat areas.

OPERATION AND MAINTENANCE, ARMY RESERVE

For Operation and Maintenance, Army Reserve, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
21700 OPERATION AND MAINTENANCE, ARMY RESERVE				
21750 BUDGET ACTIVITY 1: OPERATING FORCES				
21800 LAND FORCES				
21850 MANEUVER UNITS	1,403	1,403	1,403	1,403
21900 MODULAR SUPPORT BRIGADES	12,707	12,707	12,707	12,707
21950 ECHELONS ABOVE BRIGADES	468,288	468,288	468,288	468,288
22000 THEATER LEVEL ASSETS	152,439	152,439	152,439	152,439
22050 LAND FORCES OPERATIONS SUPPORT	520,420	520,420	520,420	520,420
22100 AVIATION ASSETS	61,063	61,063	61,063	61,063
22150 LAND FORCES READINESS				
22200 FORCES READINESS OPERATIONS SUPPORT	290,443	290,443	275,142	290,443
22250 LAND FORCES SYSTEM READINESS	106,569	106,569	106,569	106,569
22300 DEPOT MAINTENANCE	94,499	94,499	94,499	94,499
22350 LAND FORCES READINESS SUPPORT				
22400 BASE OPERATIONS SUPPORT	522,310	522,310	522,310	522,310
22450 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	234,748	234,748	234,748	234,748
22600 TOTAL, BUDGET ACTIVITY 1	2,464,889	2,464,889	2,449,588	2,464,889
22650 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
22700 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
22740 SERVICEWIDE TRANSPORTATION	9,291	9,291	9,291	9,291
22750 ADMINISTRATION	72,075	72,075	72,075	72,075
22800 SERVICEWIDE COMMUNICATIONS	3,635	4,635	3,635	4,435
22850 PERSONNEL/FINANCIAL ADMINISTRATION	9,104	9,104	9,104	9,104
22900 RECRUITING AND ADVERTISING	61,202	61,202	45,931	61,202
22950 TOTAL, BUDGET ACTIVITY 4	155,307	156,307	140,036	156,107
23430 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION	---	---	-7,000	---
23435 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-3,500
23500 TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	2,620,196	2,621,196	2,582,624	2,617,496

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1		Budget Request	House	Senate	Recommendation
121	FORCE READINESS OPERATIONS SUPPORT	290,443	290,443	275,142	290,443
	Family Readiness Support Assistants - Transfer to OCO			-9,829	
	Tuition Assistance - Transfer to OCO			-5,472	
432	SERVICEWIDE COMMUNICATIONS	3,635	4,635	3,635	4,435
	Nevada National Guard Joint Operations Center		1,000		800
434	RECRUITING AND ADVERTISING	61,202	61,202	45,931	61,202
	Chaplain Strong Bonds - Transfer to OCO			-6,093	
	Army Reserve Recruiting Assistance Program (AR-RAP) - Transfer to OCO			-9,178	
	Undistributed Reduction Due to Historic R&M Migration			-7,000	
	Undistributed Reduction Due to Historic Underexecution				-3,500

OPERATION AND MAINTENANCE, NAVY RESERVE

For Operation and Maintenance, Navy Reserve, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
23650 OPERATION AND MAINTENANCE, NAVY RESERVE				
23700 BUDGET ACTIVITY 1: OPERATING FORCES				
23750 RESERVE AIR OPERATIONS				
23800 MISSION AND OTHER FLIGHT OPERATIONS	570,319	570,319	570,319	570,319
23850 INTERMEDIATE MAINTENANCE	16,596	16,596	16,596	16,596
23900 AIR OPERATIONS AND SAFETY SUPPORT	3,171	3,171	3,171	3,171
23950 AIRCRAFT DEPOT MAINTENANCE	125,004	126,504	125,004	126,204
24000 AIRCRAFT DEPOT OPERATIONS SUPPORT	397	397	397	397
24050 RESERVE SHIP OPERATIONS				
24100 MISSION AND OTHER SHIP OPERATIONS	55,873	55,873	55,873	55,873
24150 SHIP OPERATIONAL SUPPORT AND TRAINING	592	592	592	592
24200 SHIP DEPOT MAINTENANCE	41,899	41,899	41,899	41,899
24300 RESERVE COMBAT OPERATIONS SUPPORT				
24350 COMBAT COMMUNICATIONS	15,241	15,241	15,241	15,241
24400 COMBAT SUPPORT FORCES	142,924	142,924	136,924	136,924
24450 RESERVE WEAPONS SUPPORT				
24500 WEAPONS MAINTENANCE	5,494	5,494	5,494	5,494
24550 ENTERPRISE INFORMATION TECHNOLOGY	83,611	83,611	83,611	83,611
24600 BASE OPERATING SUPPORT				
24650 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	69,853	69,853	69,853	69,853
24700 BASE OPERATING SUPPORT	124,757	124,757	124,757	124,757
24800 TOTAL, BUDGET ACTIVITY 1	1,255,731	1,257,231	1,249,731	1,250,931

(In thousands of dollars)

	Budget	House	Senate	Recommendation
24850 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
24900 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
24950 ADMINISTRATION	3,323	3,323	3,323	3,323
25000 MILITARY MANPOWER & PERSONNEL	13,897	13,897	13,897	13,897
25050 SERVICEWIDE COMMUNICATIONS	1,957	1,957	1,957	1,957
25160 ACQUISITION AND PROGRAM MANAGEMENT	3,593	3,593	3,593	3,593
25250 TOTAL, BUDGET ACTIVITY 4	22,770	22,770	22,770	22,770
25500 TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	1,278,501	1,280,001	1,272,501	1,273,701

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

O-1		Budget Request	House	Senate	Recommendation
1A5A	AIRCRAFT DEPOT MAINTENANCE	125,004	126,504	125,004	126,204
	Developing and Testing Environmentally Safe Decontaminating Agents for Bio-defense, Biomedical, and Environmental Use		1,500		1,200
1C6C	COMBAT SUPPORT FORCES	142,924	142,924	136,924	136,924
	Reduce Program Growth for NECC Based on Historical Availability of Execution Year Adjustments			-6,000	-6,000

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For Operation and Maintenance, Marine Corps Reserve, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
26000 OPERATION AND MAINTENANCE, MARINE CORPS RESERVE				
26050 BUDGET ACTIVITY 1: OPERATING FORCES				
26100 EXPEDITIONARY FORCES				
26150 OPERATING FORCES	61,117	61,117	61,117	61,117
26200 DEPOT MAINTENANCE	13,217	13,217	13,217	13,217
26250 TRAINING SUPPORT	29,373	29,373	29,373	29,373
26300 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	25,466	25,466	25,466	25,466
26350 BASE OPERATING SUPPORT	73,899	73,899	71,899	71,899
26400 TOTAL, BUDGET ACTIVITY 1	203,072	203,072	201,072	201,072
26450 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
26500 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
26550 SPECIAL SUPPORT	5,639	5,639	5,639	5,639
26600 SERVICEWIDE TRANSPORTATION	818	818	818	818
26650 ADMINISTRATION	10,642	10,642	10,642	10,642
26700 RECRUITING AND ADVERTISING	8,754	8,754	8,754	8,754
26800 TOTAL, BUDGET ACTIVITY 4	25,853	25,853	25,853	25,853
26830 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION	---	---	-7,500	---
26835 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-3,750
27000 TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE	228,925	228,925	219,425	223,175

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Recommendation
BSS1 BASE OPERATING SUPPORT	73,899	73,899	71,899	71,899
Environmental Program Decrease not Properly Accounted for			-2,000	-2,000
Undistributed Reduction Due to Historic R&M Migration			-7,500	
Undistributed Reduction Due to Historic Underexecution				-3,750

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For Operation and Maintenance, Air Force Reserve, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
28000 OPERATION AND MAINTENANCE, AIR FORCE RESERVE				
28050 BUDGET ACTIVITY 1: OPERATING FORCES				
28100 AIR OPERATIONS				
28150 PRIMARY COMBAT FORCES	2,049,303	2,049,303	2,077,463	2,077,463
28200 MISSION SUPPORT OPERATIONS	121,417	121,417	121,417	121,417
28250 DEPOT MAINTENANCE	441,958	441,958	486,270	486,270
28300 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	78,763	78,763	78,763	78,763
28350 BASE OPERATING SUPPORT	258,091	258,091	255,091	255,091
28400 TOTAL, BUDGET ACTIVITY 1	2,949,532	2,949,532	3,019,004	3,019,004
28450 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
28500 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
28550 ADMINISTRATION	77,476	77,476	77,476	77,476
28600 RECRUITING AND ADVERTISING	24,553	24,553	24,553	24,553
28650 MILITARY MANPOWER AND PERSONNEL MANAGEMENT	20,838	20,838	20,838	20,838
28700 OTHER PERSONNEL SUPPORT	6,121	6,121	6,121	6,121
28750 AUDIOVISUAL	708	708	708	708
28800 TOTAL, BUDGET ACTIVITY 4	129,696	129,696	129,696	129,696
28940 REMOVAL OF ONE-TIME CONGRESSIONAL INCREASES AND				
28945 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION	---	---	-63,000	---
28950 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-17,500
29000 TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	3,079,228	3,079,228	3,085,700	3,131,200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

O-1	Budget Request	House	Senate	Recommendation
011A PRIMARY COMBAT FORCES	2,049,303	2,049,303	2,077,463	2,077,463
Consolidation of the B-52 Field Training Unit under AFRC (Transferred from O&M, Air Force)			28,160	28,160
011M DEPOT MAINTENANCE	441,958	441,958	486,270	486,270
Consolidation of the B-52 Field Training Unit under AFRC (Transferred from O&M, Air Force)			44,312	44,312
011Z BASE SUPPORT	258,091	258,091	255,091	255,091
Environmental Decrease not Accounted for In Budget Justification			-3,000	-3,000
Undistributed Reduction Due to Historic R&M Migration			-63,000	
Undistributed Reduction Due to Historic Underexecution				-17,500

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For Operation and Maintenance, Army National Guard, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
30000 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD				
30050 BUDGET ACTIVITY 1: OPERATING FORCES				
30100 LAND FORCES				
30150 MANEUVER UNITS	876,269	876,269	876,269	876,269
30200 MODULAR SUPPORT BRIGADES	173,843	173,843	173,843	173,843
30250 ECHELONS ABOVE BRIGADE	615,160	615,160	612,160	612,160
30300 THEATER LEVEL ASSETS	253,997	253,997	253,197	253,197
30350 LAND FORCES OPERATIONS SUPPORT	34,441	59,941	25,441	29,941
30400 AVIATION ASSETS	819,031	823,781	821,031	824,431
30450 LAND FORCES READINESS				
30500 FORCE READINESS OPERATIONS SUPPORT	436,799	442,107	417,999	433,785
30550 LAND FORCES SYSTEMS READINESS	99,757	114,843	97,757	107,701
30600 LAND FORCES DEPOT MAINTENANCE	379,646	379,646	395,646	395,646
30650 LAND FORCES READINESS SUPPORT				
30700 BASE OPERATIONS SUPPORT	798,343	824,343	776,443	801,943
30750 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	580,171	595,920	580,271	592,820
30800 MANAGEMENT AND OPERATIONAL HEADQUARTERS	573,452	573,452	570,652	570,652
30850 MISCELLANEOUS ACTIVITIES	---	4,200	---	---
31000 TOTAL, BUDGET ACTIVITY 1	5,640,909	5,737,502	5,600,709	5,672,388

(In thousands of dollars)

	Budget	House	Senate	Recommendation
31050 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
31100 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
31150 ADMINISTRATION	119,186	119,186	121,386	120,386
31200 SERVICEWIDE COMMUNICATIONS	48,020	48,020	48,020	48,020
31250 MANPOWER MANAGEMENT	7,920	7,920	7,920	7,920
31300 RECRUITING AND ADVERTISING	440,999	440,999	245,999	440,999
31350 TOTAL, BUDGET ACTIVITY 4	616,125	616,125	423,325	617,325
31997 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION.	---	---	-35,000	---
31998 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-35,000
31999 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&A MIGRATION.	---	---	---	-65,000
32000 TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD.	6,257,034	6,353,627	5,989,034	6,189,713

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

O-1	Budget Request	House	Senate	Recommendation
113 ECHELONS ABOVE BRIGADE	615,160	615,160	612,160	612,160
Removal of one-time fiscal year 2009 Congressional Increases			-3,000	-3,000
114 THEATER LEVEL ASSETS	253,997	253,997	253,197	253,197
Removal of one-time fiscal year 2009 Congressional Increases			-800	-800
115 LAND FORCES OPERATIONS SUPPORT	34,441	59,941	25,441	29,941
High-Mobility Multipurpose Wheeled Vehicle Repair (Transferred to line number 123)		20,000		0
WMD Civil Support Team for New York		500		500
Multi-Jurisdictional Counter-Drug Task Force Training		3,500		2,800
National Guard Civil Support Team/CBRNE Enhanced Response Force Package		1,500		1,200
Removal of one-time fiscal year 2009 Congressional Increases			-11,000	-11,000
Marksmanship Skills Trainer			2,000	2,000
116 AVIATION ASSETS	819,031	823,781	821,031	824,431
Joint Command Vehicle and Supporting C3 System		2,250		1,800
UH-60 Leak Proof Drip Pans		2,500		2,000
Tools for Maintenance Conversion			2,000	1,600
121 FORCE READINESS OPERATIONS SUPPORT	436,799	442,107	417,999	433,785
WMD Multi-Sensor Response and Infrastructure Project System		2,000		1,600
WMD Civil Support Team for Florida		2,000		2,000
Training Aid Suite for Vermont NG Training Sites		1,308		1,046
Removal of one-time fiscal year 2009 Congressional Increases			-28,700	-28,700
Family Readiness Support Assistance - Transfer to OCO			-14,700	
ARNG Battery Modernization Program			2,000	1,600
Colorado National Guard Reintegration Program			1,000	1,000
Expandable Light Air Mobility Shelters (ELAMS) and Contingency Response Communications System (CRCS) - Illinois National Guard (ILNG) (Transferred to Other Procurement, Army line number 142)			2,000	
Full Cycle Deployment Support Pilot Program (Transferred from line number 135)			4,000	3,200
Joint Interagency Training and Education Center			5,600	5,600
National Guard and First Responder Resiliency Training			1,500	1,500
North Carolina National Guard Family Assistance Centers			1,600	1,280
Oregon National Guard Reintegration Program (Transferred from line number 135)			400	960
Re-establishing Ties: The Road from Warrior to the Community			3,000	3,000
Vermont National Guard Family Assistance Centers			500	500
Vermont Service Member, Veteran, and Family Member Outreach, Readiness, and Reintegration Program			3,000	2,400

O-1	Budget Request	House	Senate	Recommendation
122 LAND FORCES SYSTEMS READINESS	99,757	114,843	97,757	107,701
Florida Army National Guard Future Soldier Trainer		3,000		2,400
Program Increase - Compliance with Joint Staff J-8 Guidance - Implementation of Communications Process Refinement		3,000		2,000
Regional Geospatial Service Centers		2,156	2,000	2,000
Vermont Army National Guard Security Upgrades		930		744
Advanced Law Enforcement Rapid Response Training		1,000		800
Army National Guard M939A2 Repower Program		5,000		4,000
Removal of one-time fiscal year 2009 Congressional Increases			-4,000	-4,000
123 LAND FORCES DEPOT MAINTENANCE	379,646	379,646	395,646	395,646
Removal of One-Time fiscal year 2009 Congressional Increases			-4,000	-4,000
High-Mobility Multipurpose Wheeled Vehicle Repair (Transferred from line number 115)			20,000	20,000
131 BASE OPERATIONS SUPPORT	798,343	824,343	776,443	801,943
Minnesota National Guard Beyond the Yellow Ribbon Reintegration Program		2,000	2,000	2,000
Advanced Trauma Training Course for the Illinois National Guard		2,500		2,000
Trauma Response Simulation Training (Transferred to RDT&E, Army line number 30)		1,500		
Family Assistance Centers/National Guard Reintegration		20,000		10,000
Removal of one-time fiscal year 2009 Congressional Increases			-12,000	-12,000
Installation Services - Transfer to OCO			-13,900	
Supplemental Child Care Support for Families of Deployed Vermont Reserve Component			2,000	1,600
132 FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	580,171	595,920	580,271	592,820
Camp Ethan Allen Training Site Road Equipment		300		300
CID Equipment		449		449
Program Increase - Facility Maintenance		15,000		12,000
Removal of one-time fiscal year 2009 Congressional Increases			-2,400	-2,400
Repair of Military Asset Storage Facilities			2,500	2,300
133 MANAGEMENT AND OPERATIONAL HQ	573,452	573,452	570,652	570,652
Removal of one-time fiscal year 2009 Congressional Increases			-2,800	-2,800
136 ADDITIONAL ACTIVITIES		4,200		0
Full Cycle Deployment Support Pilot Program (Transferred to line number 121)		3,000		
Yellow Ribbon Project - Oregon National Guard Reintegration Program (Transferred to line number 121)		1,200		
431 ADMINISTRATION	119,186	119,186	121,386	120,386
Removal of one-time FY 2009 Congressional Increases			-2,800	-2,800
Army National Guard Unit History Records			5,000	4,000

O-1	Budget Request	House	Senate	Recommendation
434 RECRUITING AND ADVERTISING	440,999	440,999	245,999	440,999
Recruiting and Advertising - Transfer to OCO			-100,000	
Unjustified Program Growth - Transferred to Undistributed Reductions			-95,000	
Undistributed Reduction Due to Historic R&M Migration			-35,000	
Undistributed Reduction Due to Historic Underexecution				-35,000
Unjustified Program Growth - Transferred from SAG 434				-65,000

ARMY NATIONAL GUARD RECRUITING AND ADVERTISING

The Senate reduced funding to Sub-activity Group 434, Other Personnel Support, based on unjustified growth in recruiting and advertising between fiscal year 2009 and fiscal year 2010. Since the time of that proposed reduction, the Army National Guard has adequately justified the budget request for recruiting and advertising. The reason for the skewed original analysis was attributed to the amount of funding the Army National Guard realigns into Sub-activity Group 434 in the year of execution. In fiscal years 2007–2009, the Army National Guard realigned between $100,000,000 and $200,000,000 each year into recruiting and advertising. Because the Army National Guard has had flexibility to move a large amount of funding in the past, the recommendation includes an undistributed reduction to Operation and Maintenance, Army National Guard due to the migration of funds from other sources into recruiting and advertising. New prior approval reprogramming guidelines for the Army National Guard are addressed in the operation and maintenance overview.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For Operation and Maintenance, Air National Guard, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
33000 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD				
33050 BUDGET ACTIVITY 1: OPERATING FORCES				
33100 AIR OPERATIONS				
33150 AIRCRAFT OPERATIONS	3,347,685	3,348,200	3,347,685	3,348,200
33200 MISSION SUPPORT OPERATIONS	779,917	779,917	785,267	784,227
33250 DEPOT MAINTENANCE	780,347	780,347	780,347	780,347
33300 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	302,949	304,949	310,849	311,649
33350 BASE OPERATING SUPPORT	606,916	607,381	606,916	607,381
33400 TOTAL, BUDGET ACTIVITY 1	5,817,814	5,820,794	5,831,064	5,831,804
33450 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
33500 SERVICEWIDE ACTIVITIES				
33550 ADMINISTRATION	35,174	35,174	35,174	35,174
33600 RECRUITING AND ADVERTISING	32,773	32,773	32,773	32,773
33650 TOTAL, BUDGET ACTIVITY 4	67,947	67,947	67,947	67,947
34195 UNDISTRIBUTED REDUCTION DUE TO HISTORIC R&M MIGRATION	---	---	-42,000	---
34197 UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION	---	---	---	-17,500
35000 TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD	5,885,761	5,888,741	5,857,011	5,882,251

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

O-1		Budget Request	House	Senate	Recommendation
011F	AIRCRAFT OPERATIONS	3,347,685	3,348,200	3,347,685	3,348,200
	Joint Interoperability Coordinated Operations and Training Exercise		515		515
011G	MISSION SUPPORT OPERATIONS	779,917	779,917	785,267	784,227
	Controlled Humidity Protection for McEntire Joint National Guard Base (SCANG Facilities)			2,700	2,160
	Critical Infrastructure Interdependencies Vulnerabilities Assessment (CIIVA) Program			2,500	2,000
	Joint Interagency Training and Education Center			150	150
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	302,949	304,949	310,849	311,649
	190th Air Refueling Wing Squadron Operations Facility		1,000	6,600	6,600
	Smoky Hill Range Access Road Improvements		1,000		800
	Facility Renovations and Retrofit, 168th Air Refueling Wing			1,300	1,300
011Z	BASE SUPPORT	606,916	607,381	606,916	607,381
	Force Protection and Training Equipment		465		465
	Undistributed Reduction Due to Historic R&M Migration			-42,000	
	Undistributed Reduction Due to Historic Underexecution				-17,500

194TH REGIONAL SUPPORT WING

In fiscal year 2010, the Air National Guard had planned to eliminate 98 essential billets from the 194th Regional Support Wing. The National Guard Bureau and the Air National Guard 194th Regional Support Wing are currently in negotiations to resolve the matter but have yet to reach final resolution. For this reason, the Secretary of Defense is directed to retain all of the billets that existed in fiscal year 2009 for the remainder of fiscal year 2010. Additionally, the Chief of the Air National Guard is directed to provide a report on the long term plans for those billets that had been proposed for elimination in fiscal year 2010. The report shall be provided to the House and Senate Committees on Appropriations not later than May 15, 2010. The Committees plan to reexamine this issue as part of the fiscal year 2011 budget consideration and urge both the National Guard Bureau and the 194th Regional Support Wing to make a good faith effort to reach a fair and reasonable solution.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT

For the Overseas Contingency Operations Transfer Account, no funds are provided for fiscal year 2010.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For the United States Court of Appeals for the Armed Forces, $13,932,000 is provided for fiscal year 2010.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

The recommendation provides $423,364,000 for Environmental Restoration, Army, instead of $415,864,000 as proposed by the House and $430,864,000 as proposed by the Senate.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

The recommendation provides $285,869,000 for Environmental Restoration, Navy, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

The recommendation provides $494,276,000 for Environmental Restoration, Air Force, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

The recommendation provides $11,100,000 for Environmental Restoration, Defense-Wide, as proposed by both the House and the Senate.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

The recommendation provides $292,700,000 for Environmental Restoration, Formerly Used Defense Sites, instead of $277,700,000 as proposed by the House and $307,700,000 as proposed by the Senate. The adjustments to the budget for Environmental Restoration, Formerly Used Defense Sites are shown below:

UXO Remediation	$5,000,000
Other Unfunded Requirements	20,000,000

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For Overseas, Humanitarian, Disaster, and Civic Aid, $109,869,000 is provided for fiscal year 2010.

COOPERATIVE THREAT REDUCTION ACCOUNT

For the Cooperation Threat Reduction Account, $424,093,000 is provided for fiscal year 2010.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $100,000,000 is provided for fiscal year 2010.

TITLE III – PROCUREMENT

For Procurement, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
SUMMARY				
ARMY				
AIRCRAFT	5,315,991	5,144,991	5,244,252	5,093,822
MISSILES	1,370,109	1,358,609	1,257,053	1,251,053
WEAPONS, TRACKED COMBAT VEHICLES	2,451,952	2,681,952	2,310,007	2,335,807
AMMUNITION	2,051,895	2,053,395	2,049,995	2,056,115
OTHER	9,907,151	9,293,801	9,395,444	8,582,660
TOTAL, ARMY	21,097,098	20,532,748	20,256,751	19,319,457
NAVY				
AIRCRAFT	18,378,312	18,325,481	18,079,312	18,643,221
WEAPONS	3,453,455	3,226,403	3,446,419	3,357,572
AMMUNITION	840,675	794,886	814,015	800,651
SHIPS	13,776,867	14,721,532	15,384,600	13,881,532
OTHER	5,661,176	5,395,081	5,499,413	5,441,234
MARINE CORPS	1,600,638	1,563,743	1,550,080	1,521,505
TOTAL, NAVY	43,711,123	44,027,126	44,773,839	43,645,715
AIR FORCE				
AIRCRAFT	11,966,276	11,956,182	13,148,720	13,295,474
MISSILES	6,300,728	6,508,359	6,070,344	5,995,544
AMMUNITION	822,462	809,941	815,246	801,550
OTHER	17,293,141	16,883,791	17,283,800	17,138,239
TOTAL, AIR FORCE	36,382,607	36,158,273	37,318,110	37,230,807
DEFENSE-WIDE				
DEFENSE-WIDE	3,984,352	4,036,816	4,017,697	4,050,537
NATIONAL GUARD AND RESERVE EQUIPMENT	---	---	1,500,000	---
DEFENSE PRODUCTION ACT PURCHASES	38,246	82,846	149,746	150,746
TOTAL PROCUREMENT	105,213,426	104,837,809	108,016,143	104,397,262

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase ''only for'' or ''only to'' are congressional interest items for purposes of the Base for Reprogramming Department of Defense form (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in these materials.

C–130 AVIONICS MODERNIZATION PROGRAM

The recommendation provides no funding in Aircraft Procurement, Air Force for the C–130 Avionics Modernization Program given that the fiscal year 2009 funds have thus far not been put on contract due to a delayed Milestone C decision. Based on these delays, the funding requested for fiscal year 2010 is early to need. The Under Secretary of Defense (Acquisition, Technology, and Logistics) is strongly encouraged to make a decision on the acquisition strategy and proceed expeditiously with the program of record in order to provide this needed capability to Active, Guard, and Reserve C–130 aircraft.

C–130 FIREFIGHTING CAPABILITY

The Secretary of the Air Force, the Chief of the Air Force Reserve and the Director of the National Guard Bureau, are directed, within 60 days of enactment of this Act, to create an Integrated Working Group (IWG) in conjunction with the United States Department of Agriculture Forest Service (USDAFS) and the Department of the Interior for the purpose of coordinating the joint use of Federal forest firefighting assets, and, within 90 days after formation of the IWG, to submit a report to the congressional defense committees; the House and Senate Committees on Appropriations, Subcommittees on Interior; the House Energy and Commerce Committee and Senate Energy and Natural Resources Committee, detailing the following:

1. The viability of the Air National Guard, the Air Force Reserve, and the USDAFS to jointly operate a fleet of new C–130s procured for the primary purposes of firefighting duties at the request of the USDAFS, and equipped with the latest proven firefighting technology.

2. Any and all prior analyses done in the past ten years by the Department of the Air Force, the National Guard Bureau or the USDAFS concerning the recapitalization of the national firefighting fleet.

3. A new business case analysis which examines the cost and operational effectiveness of procurement of new C–130 aircraft and joint cooperation between the Department of the Air Force, the National Guard Bureau and the USDAFS for the firefighting mission as compared to the present approach of utilizing the current fleet of aging firefighting aircraft available via commercial operator contracts.

4. Any existing legislative impediments to interagency cooperation and joint operation of a dedicated firefighting fleet by the Department of the Air Force, the National Guard Bureau and the USDAFS.

5. An assessment and accounting of public-private property losses as well as taxpayer expenses spent annually fighting forest and wildfires and how such losses can be mitigated by the described joint firefighting business model with respect to the Department of the Air Force, the National Guard Bureau and the USDAFS.

An interim report shall be submitted to Congress not later than 90 days after enactment of this Act detailing the progress made on the final report.

NON-INTRUSIVE INSPECTION TECHNOLOGIES

Vehicle and cargo-borne threats to U.S. forward operating bases and unmet requests for fielding non-intrusive inspection (NII) technologies for base access control to detect hidden weapons, explosives and personnel, increase the operating risk for our forces. The Secretary of Defense is directed to prioritize the NII technology needs of the 100 highest-risk bases and submit a schedule for NII technology procurement for these bases to the congressional defense committees not later than 30 days after enactment of this Act.

JOINT STRIKE FIGHTER

Concerns persist regarding the progress of the F–35 Joint Strike Fighter (JSF) program. Last year, the Department of Defense established a Joint Estimating Team (JET) to evaluate this program. The JET reported that the program would cost significantly more and take longer to fully develop and test than the Department was then projecting. Although the JET has yet to officially report out for 2009, the initial indications are that cost growth and schedule issues remain. Nevertheless, the Department insists that the program is on track to achieve both the cost and schedule currently reflected in the program of record.

Therefore, the JSF procurement program is provided $6,840,478,000, and the JSF program is designated as a congressional special interest item. The Secretary of Defense is directed to ensure that all 30 aircraft be procured as requested in the budget. The Under Secretary of Defense for Acquisition, Technology and Logistics is directed to provide the findings of the JET along with recent studies on the test program and causes of cost growth to the congressional defense committees no later than January 15, 2010.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

It is the intent of Congress that the program baseline for reprogramming funds reflects all approved adjustment actions: the initial appropriation as well as any rescissions, supplemental appropriations and approved Department of Defense 1415 reprogrammings. The Secretary of Defense is directed to ensure that financial management regulations incorporate approved reprogramming actions as an adjustment to the base for reprogramming value.

The Department of Defense is directed to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2006 Department of Defense Appropriations Act (H.R. 109–119). Specifically, the dollar threshold for reprogramming funds will remain at $20,000,000 for procurement and $10,000,000 for research, development, test, and evaluation. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. The percentage change limitation applies to both program increases and decreases. Additionally, this percentage change applies to the program base value at the time the below threshold movement of funds is executed. These thresholds are cumulative from the base for reprogramming value as modified by any adjustment action. Therefore, if the combined value of transfers into or out of a procurement (P–1) or research, development, test, and evaluation (R–1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming request to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this report. This guidance is effective for fiscal year 2010 and forward.

REPROGRAMMING REPORTING REQUIREMENTS

The Under Secretary of Defense (Comptroller) is directed to continue to provide the congressional defense committees quarterly, spreadsheet-based DD1416 reports for service and defense-wide accounts in titles III and IV of this Act as required in the statement of the managers accompanying the conference report on the Department of Defense Appropriations Act, 2006.

FUNDING INCREASES

The funding increases outlined in these tables shall be provided only for the specific purposes indicated in the table.

AIRCRAFT PROCUREMENT, ARMY

For Aircraft Procurement, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	AIRCRAFT PROCUREMENT, ARMY				
	AIRCRAFT				
	FIXED WING				
3	MQ-1 UAV	401,364	238,364	401,364	231,364
4	RQ-11 (RAVEN)	35,008	35,008	35,008	35,008
	ROTARY				
8	HELICOPTER, LIGHT UTILITY (LUH)	326,040	326,040	326,040	326,040
9	AH-64 APACHE BLOCK III	161,280	161,280	161,280	161,280
10	AH-64 APACHE BLOCK III (AP-CY)	57,890	57,890	57,890	57,890
11	UH-60 BLACKHAWK (MYP)	1,258,374	1,258,374	1,258,374	1,258,374
12	UH-60 BLACKHAWK (MYP) (AP-CY)	98,740	98,740	98,740	98,740
13	CH-47 HELICOPTER	860,087	847,087	882,087	882,087
14	CH-47 HELICOPTER (AP-CY)	50,676	50,676	50,676	50,676
15	HELICOPTER NEW TRAINING	19,639	19,639	---	---
	TOTAL, AIRCRAFT	3,269,098	3,093,098	3,271,459	3,101,459
	MODIFICATION OF AIRCRAFT				
16	MQ-1 PAYLOAD - UAS	87,424	87,424	87,424	87,424
17	MQ-1 WEAPONIZATION - UAS	14,832	14,832	14,832	14,832
18	GUARDRAIL MODS (MIP)	61,517	61,517	61,517	61,517
19	MULTI SENSOR ABN RECON (MIP)	21,457	21,457	21,457	21,457
20	AH-64 MODS	426,415	429,415	426,415	429,415
22	CH-47 CARGO HELICOPTER MODS	102,876	83,876	85,776	87,196
24	UTILITY/CARGO AIRPLANE MODS	39,547	39,547	39,547	39,547
25	AIRCRAFT LONG RANGE MODS	823	823	823	823
26	UTILITY HELICOPTER MODS	66,682	87,682	73,682	88,832
27	KIOWA WARRIOR	140,768	140,768	80,768	80,768
28	AIRBORNE AVIONICS	241,287	241,287	234,287	234,287
29	GATM ROLLUP	103,142	103,142	103,142	103,142
30	RQ-7 UAV MODS	283,012	283,012	283,012	283,012

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	SPARES AND REPAIR PARTS				
31	SPARE PARTS (AIR)	7,083	7,083	7,083	7,083
	TOTAL, MODIFICATION OF AIRCRAFT	1,596,865	1,601,865	1,519,765	1,539,335
	SUPPORT EQUIPMENT AND FACILITIES				
	GROUND SUPPORT AVIONICS				
32	AIRCRAFT SURVIVABILITY EQUIPMENT	25,975	25,975	25,975	25,975
33	ASE INFRARED CM	186,356	186,356	186,356	186,356
	OTHER SUPPORT				
34	AVIONICS SUPPORT EQUIPMENT	4,933	4,933	4,933	4,933
35	COMMON GROUND EQUIPMENT	87,682	87,682	87,682	87,682
36	AIRCREW INTEGRATED SYSTEMS	52,725	52,725	55,725	55,725
37	AIR TRAFFIC CONTROL	76,999	76,999	76,999	76,999
38	INDUSTRIAL FACILITIES	1,533	1,533	1,533	1,533
39	LAUNCHER, 2.75 ROCKET	2,716	2,716	2,716	2,716
40	AIRBORNE COMMUNICATIONS	11,109	11,109	11,109	11,109
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	450,028	450,028	453,028	453,028
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	5,315,991	5,144,991	5,244,252	5,093,822

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
3	MQ-1 UAV	401,364	238,364	401,364	231,364
	Funding ahead of need		-163,000		0
	Exceeds production capacity (Transfer from Aircraft Procurement, Army line number 3 Title IX)				-170,000
13	CH-47 HELICOPTER	860,087	847,087	882,087	882,087
	Funding ahead of need		-35,000		0
	Army requested transfer from Aircraft Procurement, Army line number 22		22,000	22,000	22,000
15	HELICOPTER NEW TRAINING	19,639	19,639	0	0
	Unjustified request			-19,639	-19,639
20	AH-64 MODS	426,415	429,415	426,415	429,415
	Vibration Management Enhancement Program		3,000		3,000
22	CH-47 CARGO HELICOPTER MODS	102,876	83,876	85,776	87,196
	CH-47 Helicopter Forward and Aft Hook Project		3,000		2,400
	Army requested transfer to Aircraft Procurement, Army line number 13		-22,000	-22,000	-22,000
	Automatic Identification Technology Life Cycle Asset Management			1,500	1,200
	CH-47F Common Avionics Architecture System-Pilot Vehicle Interface			3,400	2,720
26	UTILITY HELICOPTER MODS	66,682	87,682	73,682	88,832
	Army National Guard UH-60 Rewiring Program		10,000		8,000
	Internal Auxiliary Fuel Tank System		3,000		2,400
	Civil Support Communications Systems for Kentucky Army National Guard UH-60 Aircraft		2,000		1,600
	Program Increase		5,000		3,750
	Forward Looking Infrared Sensors for UH-60 Medevac Helicopters for the Minnesota Army National Guard		1,000		800
	Air Filtration Systems for National Guard Helicopters			1,000	800
	UH-72A Integrated Vehicle Management System			2,000	1,600
	Recoil UH-60 Wild Land Fire-Fighting Tank System			4,000	3,200
27	KIOWA WARRIOR	140,768	140,768	80,768	80,768
	Excessive Long Lead Items			-60,000	-60,000
28	AIRBORNE AVIONICS	241,287	241,287	234,287	234,287
	ATCS - reduction to growth			-7,000	-7,000
36	AIRCREW INTEGRATED SYSTEMS	52,725	52,725	55,725	55,725
	Air Warrior Ensemble Generation III			3,000	3,000

MISSILE PROCUREMENT, ARMY

For Missile Procurement, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	MISSILE PROCUREMENT, ARMY				
	OTHER MISSILES				
	SURFACE-TO-AIR MISSILE SYSTEM				
1	PATRIOT SYSTEM SUMMARY	348,351	338,851	348,351	342,351
2	PATRIOT/MEADS CAP SYSTEM SUMMARY	16,406	16,406	---	---
	AIR-TO-SURFACE MISSILE SYSTEM				
3	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY:	72,920	72,920	---	---
5	HELLFIRE SYS SUMMARY	31,154	29,154	7,424	7,424
	ANTI-TANK/ASSAULT MISSILE SYSTEM				
6	JAVELIN (AAWS-M) SYSTEM SUMMARY	148,649	148,649	148,649	148,649
7	TOW 2 SYSTEM SUMMARY	108,066	108,066	108,066	108,066
8	GUIDED MLRS ROCKET (GMLRS)	293,617	293,617	293,617	293,617
9	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	15,663	15,663	15,663	15,663
10	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	209,061	209,061	209,061	209,061
	TOTAL, OTHER MISSILES	1,243,887	1,232,387	1,130,831	1,124,831
	MODIFICATION OF MISSILES				
	MODIFICATIONS				
12	PATRIOT MODS	44,775	44,775	44,775	44,775
13	ITAS/TOW MODS	6,983	6,983	6,983	6,983
14	MLRS MODS	3,662	3,662	3,662	3,662
15	HIMARS MODIFICATIONS	38,690	38,690	38,690	38,690
16	HELLFIRE MODIFICATIONS	10	10	10	10
	TOTAL, MODIFICATION OF MISSILES	94,120	94,120	94,120	94,120

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	SPARES AND REPAIR PARTS				
17	SPARES AND REPAIR PARTS	22,338	22,338	22,338	22,338
	SUPPORT EQUIPMENT AND FACILITIES				
18	AIR DEFENSE TARGETS	4,188	4,188	4,188	4,188
19	ITEMS LESS THAN $5.0M (MISSILES)	1,178	1,178	1,178	1,178
20	PRODUCTION BASE SUPPORT	4,398	4,398	4,398	4,398
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	9,764	9,764	9,764	9,764
	TOTAL, MISSILE PROCUREMENT, ARMY	1,370,109	1,358,609	1,257,053	1,251,053

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
1	PATRIOT SYSTEM SUMMARY	348,351	338,851	348,351	342,351
	Unjustified cost growth		-9,500		-6,000
2	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM SYSTEM SUMMARY	16,406	16,406	0	0
	Funding ahead of need			-16,406	-16,406
3	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY	72,920	72,920	0	0
	Army program adjustment			-37,920	-27,920
	Transfer to RDT&E, Army line number 102			-35,000	-45,000
5	HELLFIRE SYSTEM SUMMARY	31,154	29,154	7,424	7,424
	Unjustified cost growth		-2,000		0
	Unit cost adjustment			-23,730	-23,730

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For Procurement of Weapons and Tracked Combat Vehicles, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	PROCUREMENT OF W&TCV, ARMY				
	TRACKED COMBAT VEHICLES				
4	STRYKER VEHICLE	388,596	613,596	364,196	363,896
7	FCS SPIN OUTS	285,920	285,920	285,920	285,920
8	FCS SPIN OUTS (AP-CY)	42,001	42,001	42,001	42,001
	MODIFICATION OF TRACKED COMBAT VEHICLES				
9	FIST VEHICLE (MOD)	34,192	34,192	34,192	34,192
10	BRADLEY PROGRAM (MOD)	526,356	526,356	500,656	526,356
11	HOWITZER, MED SP FT 155MM M109A6 (MOD)	96,503	96,503	5,003	5,003
12	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	96,814	96,814	96,814	96,814
13	ARMORED BREACHER VEHICLE	63,250	63,250	63,250	63,250
14	JOINT ASSAULT BRIDGE	70,637	70,637	70,637	70,637
15	M1 ABRAMS TANK (MOD)	183,829	183,829	183,829	183,829
16	ABRAMS UPGRADE PROGRAM	185,611	185,611	185,611	185,611
	SUPPORT EQUIPMENT AND FACILITIES				
18	PRODUCTION BASE SUPPORT (TCV-WTCV)	6,601	6,601	6,601	6,601
	TOTAL, TRACKED COMBAT VEHICLES	1,980,310	2,205,310	1,838,710	1,864,110

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	WEAPONS AND OTHER COMBAT VEHICLES				
19	HOWITZER, LIGHT, TOWED, 105MM, M119	95,631	95,631	95,631	95,631
20	M240 MEDIUM MACHINE GUN (7.62MM)	32,919	32,919	23,519	23,519
21	MACHINE GUN, CAL .50 M2 ROLL	84,588	84,588	84,588	84,588
22	LIGHTWEIGHT .50 CALIBER MACHINE GUN	977	977	977	977
23	M249 SAW MACHINE GUN (5.56MM)	7,535	7,535	7,535	7,535
24	MK-19 GRENADE MACHINE GUN (40MM)	7,700	7,700	7,700	7,700
25	MORTAR SYSTEMS	14,779	14,779	14,779	14,779
26	M107, CAL. 50, SNIPER RIFLE	224	224	224	224
27	XM320 GRENADE LAUNCHER MODULE (GLM)	16,023	16,023	16,023	16,023
28	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	6,223	6,223	6,223	6,223
29	M4 CARBINE	20,500	20,500	20,500	20,500
30	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,945	6,945	---	---
32	HANDGUN	3,389	3,389	3,389	3,389
33	HOWITZER LT WT 155MM (T)	49,572	49,572	49,572	49,572
	MOD OF WEAPONS AND OTHER COMBAT VEH				
34	MK-19 GRENADE MACHINE GUN MODS	8,164	8,164	8,164	8,164
35	M4 CARBINE MODS	31,472	31,472	31,472	31,472
36	M2 50 CAL MACHINE GUN MODS	7,738	7,738	7,738	7,738
37	M249 SAW MACHINE GUN MODS	7,833	7,833	7,833	7,833
38	M240 MEDIUM MACHINE GUN MODS	17,964	17,964	17,964	17,964
40	M119 MODIFICATIONS	25,306	25,306	25,306	25,306
41	M16 RIFLE MODS	4,186	4,186	4,186	4,186
42	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	6,164	6,164	6,164	8,564
	SUPPORT EQUIPMENT AND FACILITIES				
43	ITEMS LESS THAN $5.0M (WOCV-WTCV)	551	551	551	551
44	PRODUCTION BASE SUPPORT (WOCV-WTCV)	9,855	11,855	25,855	23,855
45	INDUSTRIAL PREPAREDNESS	392	3,392	392	392
46	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	5,012	5,012	5,012	5,012
	TOTAL, WEAPONS AND OTHER COMBAT VEHICLES	471,642	476,642	471,297	471,697
	TOTAL, PROCUREMENT OF W&TCV, ARMY	2,451,952	2,681,952	2,310,007	2,335,807

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
4	STRYKER VEHICLE	388,596	613,596	364,196	363,896
	Excessive program management support costs		-25,000	-24,400	-24,700
	Additional Stryker Vehicles and production base sustainment (Transferred to WTCV, Army line number 4 Title IX)		250,000		0
10	BRADLEY PROGRAM (MOD)	526,356	526,356	500,656	526,356
	Excessive program support costs			-25,700	0
11	HOWITZER, MED SP FT 155MM M109A6 (MOD)	96,503	96,503	5,003	5,003
	Army requested transfer to RDT&E, Army line number 114			-91,500	-91,500
20	M240 MEDIUM MACHINE GUN (7.62MM)	32,919	32,919	23,519	23,519
	Delayed contract award			-9,400	-9,400
30	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,945	6,945	0	0
	Delayed contract award			-6,945	-6,945
42	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	6,164	6,164	6,164	8,564
	M24 Sniper Weapons System Upgrade (Transferred from O&M, Army line number 424)				2,400
44	PRODUCTION BASE SUPPORT (WOCV-WTCV)	9,855	11,855	25,855	23,855
	Arsenal Support Program Initiative at Rock Island Arsenal		2,000	8,000	7,600
	Arsenal Support Program Initiative at Watervliet Arsenal (Includes transfer from line number 45)			8,000	6,400
45	INDUSTRIAL PREPAREDNESS	392	3,392	392	392
	Arsenal Support Program Initiative (Transferred to line number 44)		3,000		0

BRADLEY FIGHTING VEHICLE

The various versions of the Bradley Fighting Vehicle family have continued to provide excellent performance in combat operations. The Bradleys have assumed a heavy workload in Iraq and have achieved survivability goals second only to the MI Abrams Tank. However, there are concerns that the termination of the Future Combat Systems manned ground vehicles has created considerable uncertainty regarding the current Bradley. Congress has been consistent in its strong support for robust Bradley programs, providing $784,600,000 for Bradley reset and remanufacture in the Supplemental Appropriations Act, 2009. The Army is strongly urged to sustain the Bradley industrial base by accomplishing vehicle restoration and reset efforts to the zero hours, zero miles standard plus survivability upgrades.

The recommendation fully supports the fiscal year 2010 budget request for Bradley modifications of $526,356,000 in base budget funding, plus $243,600,000 for overseas contingency operations, for a total of $769,956,000. The Army is expected to apply the funding to sustain the Bradley industrial base, continue upgrades of Bradley Operation Desert Storm (ODS) variants to the ODS Situational Awareness variant, and reset Bradley Fighting Vehicles to the zero hours, zero miles standard, plus 963 survivability enhancements. The Army is encouraged to include Bradley Fighting Vehicles from prepositioned equipment sets in the rotation through the reset and remanufacture program.

It is understood that the Army's M–113 divestiture decision will affect approximately 4,100 M–113 type vehicles, including ambulance, mortar, command post and fire support variants. Strong consideration should be given to replacing these vehicles in the Heavy Brigade Combat Teams with a Bradley-based vehicle to leverage the Bradley's track record of proven performance as well as the existing logistics support.

There is a disparity in digital data management between the engineer units in certain Heavy Brigade Combat Teams and the infantry and tank units that they support. The digital brigades have digital Abrams Tanks, matched with digital A3 Bradleys, but the engineers have non-digital Bradley ODS variants, which limits the engineers' ability to be fully integrated into the information network. The Army is urged to procure Bradley A3 variants with digital configuration for engineer units in heavy brigades that have the Bradley A3 and M1A2 System Enhancement Package Abrams tank.

Added survivability enhancements and other improvements have increased the weight of the Bradley Fighting Vehicle and adversely impacted some aspects of performance. The Army is expected to give strong consideration to Space, Weight, and Power improvements with the funds provided in Research, Development, Test and Evaluation, Army and to incorporate these improvements into the fleet at the earliest opportunity.

In addition, the recommendation fully supports the Army's M109 Paladin Howitzer/Field Artillery Ammunition Resupply Vehicle Integrated Management (PIM) program for fiscal year 2010, including a transfer of $91,500,000 from the procurement request to the Research, Development, Test and Evaluation, Army appropriation. The Vietnam-era M109 Paladin self-propelled howitzer requires major upgrades in mobility, maintainability and reliability and the PIM program, which incorporated an upgraded turret and fire control system with a Bradley Fighting Vehicle chassis, offers vast improvements in mobility and fire support. The Army is urged to move ahead promptly with the Paladin PIM program.

PROCUREMENT OF AMMUNITION, ARMY

For Procurement of Ammunition, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	PROCUREMENT OF AMMUNITION, ARMY				
	AMMUNITION				
	SMALL/MEDIUM CAL AMMUNITION				
1	CTG, 5.56MM, ALL TYPES	207,752	207,752	207,752	207,752
2	CTG, 7.62MM, ALL TYPES	77,602	77,602	77,602	77,602
3	CTG, HANDGUN, ALL TYPES	5,120	5,120	5,120	5,120
4	CTG, .50 CAL, ALL TYPES	162,342	162,342	162,342	162,342
5	CTG, 25MM, ALL TYPES	17,054	17,054	17,054	17,054
6	CTG, 30MM, ALL TYPES	96,572	86,572	96,572	94,572
7	CTG, 40MM, ALL TYPES	172,675	172,675	176,675	176,675
	MORTAR AMMUNITION				
8	60MM MORTAR, ALL TYPES	23,607	27,607	23,607	26,807
9	81MM MORTAR, ALL TYPES	28,719	28,719	28,719	28,719
10	CTG, MORTAR, 120MM, ALL TYPES	104,961	104,961	110,161	109,161
	TANK AMMUNITION				
11	CTG TANK 105MM: ALL TYPES	7,741	7,741	7,741	7,741
12	CTG, TANK, 120MM, ALL TYPES	113,483	113,483	113,483	113,483
	ARTILLERY AMMUNITION				
13	CTG, ARTY, 75MM: ALL TYPES	5,229	5,229	5,229	5,229
14	CTG, ARTY, 105MM: ALL TYPES	90,726	75,726	90,726	85,726
15	CTG, ARTY, 155MM, ALL TYPES	54,546	54,546	63,546	61,746
16	PROJ 155MM EXTENDED RANGE XM982	62,292	62,292	62,292	62,292
17	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T	33,441	33,441	25,441	27,441

(in thousands of dollars)

		Budget	House	Senate	Recommendation
	ARTILLERY FUZES				
18	ARTILLERY FUZES, ALL TYPES	19,870	19,870	19,870	19,870
	MINES				
19	MINES, ALL TYPES	815	815	815	815
21	ANTIPERSONNEL LANDMINE ALTERNATIVES	56,387	56,387	56,387	56,387
22	INTELLIGENT MUNITIONS SYSTEM (IMS), ALL TYPES	19,507	19,507	19,507	19,507
	ROCKETS				
23	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	45,302	45,302	40,302	42,802
24	ROCKET, HYDRA 70, ALL TYPES	99,904	99,904	99,904	99,904
	OTHER AMMUNITION				
25	DEMOLITION MUNITIONS, ALL TYPES	18,793	27,793	18,793	18,793
26	GRENADES, ALL TYPES	49,910	49,910	49,910	49,910
27	SIGNALS, ALL TYPES	83,094	83,094	71,094	71,094
28	SIMULATORS, ALL TYPES	12,081	12,081	12,081	12,081
	MISCELLANEOUS				
29	AMMO COMPONENTS, ALL TYPES	17,968	17,968	17,968	17,968
30	NON-LETHAL AMMUNITION, ALL TYPES	7,378	7,378	7,378	7,378
31	CAD/PAD ALL TYPES	3,353	3,353	3,353	3,353
32	ITEMS LESS THAN $5 MILLION	8,826	8,826	8,826	8,826
33	AMMUNITION PECULIAR EQUIPMENT	11,187	14,187	16,087	17,507
34	FIRST DESTINATION TRANSPORTATION (AMMO)	14,354	14,354	14,354	14,354
35	CLOSEOUT LIABILITIES	99	99	99	99
	TOTAL, AMMUNITION	1,732,690	1,723,690	1,730,790	1,730,110
	AMMUNITION PRODUCTION BASE SUPPORT				
	PRODUCTION BASE SUPPORT				
36	PROVISION OF INDUSTRIAL FACILITIES	151,943	162,443	151,943	158,743
37	LAYAWAY OF INDUSTRIAL FACILITIES	9,529	9,529	9,529	9,529
38	MAINTENANCE OF INACTIVE FACILITIES	8,772	8,772	8,772	8,772
39	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	145,777	145,777	145,777	145,777
40	ARMS INITIATIVE	3,184	3,184	3,184	3,184
	TOTAL, AMMUNITION PRODUCTION BASE SUPPORT	319,205	329,705	319,205	326,005
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	2,051,895	2,053,395	2,049,995	2,056,115

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
6	CTG, 30MM, ALL TYPES	96,572	86,572	96,572	94,572
	Unjustified program growth		-10,000		-2,000
7	CTG, 40MM, ALL TYPES	172,675	172,675	176,675	176,675
	40mm Tactical All Types Mortar Round			4,000	4,000
8	60MM MORTAR, ALL TYPES	23,607	27,607	23,607	26,807
	M722 60mm White Phosphorus Smoke Mortar		2,000		1,600
	M721 60mm Illuminating Mortar		2,000		1,600
10	CTG, MORTAR, 120MM, ALL TYPES	104,961	104,961	110,161	109,161
	CTG, Mortar, 120mm, Illum			5,200	4,200
14	CTG, ARTY, 105MM: ALL TYPES	90,726	75,726	90,726	85,726
	Unjustified program growth		-15,000		-5,000
15	CTG, ARTY, 155MM, ALL TYPES	54,546	54,546	63,546	61,746
	CTG, Artillery, 155mm Illum			9,000	7,200
17	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL	33,441	33,441	25,441	27,441
	General Reduction			-8,000	-6,000
23	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	45,302	45,302	40,302	42,802
	General Reduction			-5,000	-2,500
25	DEMOLITION MUNITIONS, ALL TYPES	18,793	27,793	18,793	18,793
	Magneto Inductive Remote Activation Munitions System (MI-RAMS) M156/M39 Kits and M40 Receivers (Transferred to Other Procurement, Army line number 136)		9,000		0
27	SIGNALS, ALL TYPES	83,094	83,094	71,094	71,094
	General Reduction			-12,000	-12,000
33	AMMUNITION PECULIAR EQUIPMENT	11,187	14,187	16,087	17,507
	Blue Grass Army Depot Supercritical Water Oxidation-Conventional Demil			4,900	3,920
	Blue Grass Army Depot Equipment		3,000		2,400
36	PROVISION OF INDUSTRIAL FACILITIES	151,943	162,443	151,943	158,743
	Bombline Modernization (Transferred to Procurement of Ammunition, Air Force line number 4)		2,000		0
	Ammunition Production Base Support (Scranton Army Ammunition Plant)		3,500		2,800
	Small Caliber Ammunition Production Modernization		5,000		4,000

AMMUNITION FACILITIES AND EQUIPMENT

The Army is planning to transfer or consolidate government-owned ammunition assets to private ammunition manufacturers. In order to ensure a comprehensive understanding of these plans, the Secretary of the Army is directed to provide a report to the congressional defense committees not later than 60 days after enactment of this Act on any plans to consolidate government-owned ammunition production assets or to transfer by sale, lease, loan or donation government-owned ammunition production equipment or facilities to a private ammunition manufacturer. The report shall include the Secretary of the Army's assessment of the following: a cost-benefit risk analysis for consolidating or transferring government-owned ammunition production equipment or facilities to private ammunition manufacturers, including cost-savings comparisons; a projection of the impact on the ammunition production industrial base in the United States of consolidating or transferring such equipment or facilities to private ammunition manufacturers; a projection of the capability to meet current and future ammunition production requirements by both government-owned and private ammunition manufacturers, as well as a combination of the two sources of production assets; and the potential impact on national security and military readiness.

Furthermore, if additional consolidation or transfers are required during fiscal year 2010 and are not addressed in the report submitted to the congressional defense committees, the Secretary of the Army is directed to certify to the congressional defense committees that the transfer or consolidation will not increase the cost of ammunition procurement or negatively impact national security, military readiness, government ammunition production or the United States ammunition production industrial base.

Finally, there is an existing contract to operate the Milan and Iowa Army Ammunition Plants (AAP) that would transform, at the contractor's expense, the Iowa AAP into a Joint Munitions Load, Assemble and Pack facility and transform the Milan AAP into a Logistics Center of Excellence/Joint Munitions Storage and Distribution Center by 2011. The Secretary of the Army is directed to notify the congressional defense committees not later than 30 days prior to any modification to this contract. In addition, the Government Accountability Office (GAO) is directed to conduct an audit on the amount and sources of funds used in furtherance of this contract.

OTHER PROCUREMENT, ARMY

For Other Procurement, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	OTHER PROCUREMENT, ARMY				
	TACTICAL AND SUPPORT VEHICLES				
	TACTICAL VEHICLES				
1	TACTICAL TRAILERS/DOLLY SETS	95,893	95,893	95,893	95,893
2	SEMITRAILERS, FLATBED:	20,870	20,870	20,870	20,870
3	SEMITRAILERS, TANKERS	13,217	13,217	13,217	13,217
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	281,123	281,123	282,323	282,083
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	1,158,522	965,522	1,033,522	497,822
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN	17,575	17,575	17,575	17,575
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	812,918	786,566	812,918	612,918
8	PLS ESP	18,973	18,973	18,973	18,973
9	ARMORED SECURITY VEHICLES (ASV)	136,605	136,605	136,605	136,605
10	MINE PROTECTION VEHICLE FAMILY	402,517	267,797	325,517	279,197
12	TRUCK, TRACTOR, LINE HAUL, M915/M916	74,703	74,703	74,703	74,703
13	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	180,793	180,793	170,593	170,593
14	HMMWV RECAPITALIZATION PROGRAM	2,904	2,904	2,904	2,904
15	MODIFICATION OF IN SVC EQUIP	10,314	10,314	---	2,314
16	ITEMS LESS THAN $5.0M (TAC VEH)	298	298	5,898	4,778
17	TOWING DEVICE-FIFTH WHEEL	414	1,114	414	974
	NON-TACTICAL VEHICLES				
18	HEAVY ARMORED SEDAN	1,980	1,980	1,980	1,980
19	PASSENGER CARRYING VEHICLES	269	269	---	---
20	NONTACTICAL VEHICLES, OTHER	3,052	5,052	3,052	3,052
	TOTAL, TACTICAL AND SUPPORT VEHICLES	3,232,940	2,881,568	3,016,957	2,236,451

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	COMM - JOINT COMMUNICATIONS				
22	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	11,868	11,868	11,868	11,868
23	WIN-T - GROUND FORCES TACTICAL NETWORK	544,202	544,202	544,202	544,202
24	JCSE EQUIPMENT (USREDCOM)	4,868	4,868	4,868	4,868
	COMM - SATELLITE COMMUNICATIONS				
25	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	145,108	145,108	145,108	145,108
26	SHF TERM	90,918	90,918	94,918	94,118
27	SAT TERM, EMUT (SPACE)	653	653	653	653
28	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	72,735	72,735	72,735	72,735
29	SMART-T (SPACE)	61,116	61,116	61,116	61,116
30	SCAMP (SPACE)	1,834	1,834	1,834	1,834
31	GLOBAL BRDCST SVC - GBS	6,849	6,849	6,849	6,849
32	MOD OF IN-SVC EQUIP (TAC SAT)	2,862	2,862	2,862	2,862
	COMM - C3 SYSTEM				
33	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	22,996	22,996	22,996	22,996
	COMM - COMBAT COMMUNICATIONS				
34	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	1,705	1,705	1,705	1,705
35	JOINT TACTICAL RADIO SYSTEM	90,204	35,040	35,040	35,040
36	RADIO TERMINAL SET, MIDS LVT(2)	8,549	8,549	8,549	8,549
37	SINCGARS FAMILY	6,812	3,000	3,500	3,000
39	MULTI-PURPOSE INFORMATION OPERATIONS SYSTEMS	6,164	6,164	6,164	6,164
41	COMMS-ELEC EQUIP FIELDING	---	7,360	6,000	8,288
42	SPIDER APLA REMOTE CONTROL UNIT	21,820	21,820	21,820	21,820
43	IMS REMOTE CONTROL UNIT	9,256	9,256	9,256	9,256
44	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	4,646	4,646	4,646	4,646
45	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	2,367	2,367	2,367	2,367
46	RADIO, IMPROVED HF (COTS) FAMILY	6,555	6,555	6,555	6,555
47	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	18,583	18,583	18,583	18,583
	COMM - INTELLIGENCE COMM				
48	CI AUTOMATION ARCHITECTURE (MIP)	1,414	1,414	1,414	1,414
	INFORMATION SECURITY				
49	TSEC - ARMY KEY MGT SYS (AKMS)	29,525	29,525	29,525	29,525
50	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	33,189	33,189	33,189	33,189
	COMM - LONG HAUL COMMUNICATIONS				
51	TERRESTRIAL TRANSMISSION	1,890	1,890	1,890	1,890
52	BASE SUPPORT COMMUNICATIONS	25,525	25,525	25,525	25,525

(In thousands of dollars)

		Budget	House	Senate	Recommendation
54	WW TECH CON IMP PROG (WWTCIP)	31,256	31,256	31,256	31,256
55	COMM - BASE COMMUNICATIONS INFORMATION SYSTEMS	216,057	216,057	216,057	216,057
56	DEFENSE MESSAGE SYSTEM (DMS)	6,203	6,203	6,203	6,203
57	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	147,111	147,111	147,111	147,111
58	PENTAGON INFORMATION MGT AND TELECOM	39,906	39,906	39,906	39,906
	ELECT EQUIP - NAT INT PROG (NIP)				
	ELECT EQUIP - NAT INTEL PROG (NIP)				
62	JTT/CIBS-M (MIP)	3,279	3,279	3,279	3,279
63	PROPHET GROUND (MIP)	64,498	64,498	64,498	64,498
69	DCGS-A (MIP)	85,354	85,354	85,354	85,354
70	JOINT TACTICAL GROUND STATION (JTAGS)	6,703	6,703	6,703	6,703
71	TROJAN (MIP)	26,659	26,659	26,659	26,659
72	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	7,021	7,021	7,021	7,021
73	CI HUMINT AUTO REPRTING AND COLL(CHARCS)(MIP)	4,509	4,509	4,509	4,509
74	SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM	6,420	6,420	---	---
75	ITEMS LESS THAN $5.0M (MIP)	17,053	17,053	17,053	17,053
	ELECT EQUIP - ELECTRONIC WARFARE (EW)				
76	LIGHTWEIGHT COUNTER MORTAR RADAR	31,661	31,661	31,661	31,661
78	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,284	1,284	1,284	1,284
79	CI MODERNIZATION (MIP)	1,221	1,221	1,221	1,221
	ELECT EQUIP - TACTICAL SURV. (TAC SURV)				
80	SENTINEL MODS	25,863	25,863	25,863	25,863
81	SENSE THROUGH THE WALL (STTW)	25,352	25,352	---	---
82	NIGHT VISION DEVICES	366,820	191,158	180,458	180,458
83	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	133,836	133,836	133,836	133,836
84	NIGHT VISION, THERMAL WPN SIGHT	313,237	313,237	313,237	313,237
85	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	9,179	9,179	9,179	9,179
86	RADIATION MONITORING SYSTEMS	2,198	2,198	2,198	2,198
89	ARTILLERY ACCURACY EQUIP	5,838	5,838	5,838	5,838
91	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	1,178	1,178	1,178	1,178
92	PROFILER	4,766	4,766	4,766	4,766
93	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	2,801	2,801	2,801	2,801
94	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	271,979	271,979	271,979	271,979

(In thousands of dollars)

	Budget	House	Senate	Recommendation
95 JOINT BATTLE COMMAND - PLATFORM (JBC-P)	17,242	17,242	17,242	17,242
96 LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD	59,080	59,080	59,080	59,080
98 MORTAR FIRE CONTROL SYSTEM	15,520	15,520	17,820	17,820
99 COUNTERFIRE RADARS	194,665	194,665	194,665	194,665
101 ENHANCED SENSOR & MONITORING SYSTEM	1,944	1,944	1,944	1,944
ELECT EQUIP - TACTICAL C2 SYSTEMS				
102 TACTICAL OPERATIONS CENTERS	29,934	32,234	29,934	31,774
103 FIRE SUPPORT C2 FAMILY	39,042	39,042	32,742	32,742
104 BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	31,968	31,968	31,968	31,968
105 FAAD C2	8,289	8,289	8,289	8,289
106 AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD	62,439	62,439	62,439	62,439
107 KNIGHT FAMILY	80,831	80,831	80,831	80,831
108 LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,778	1,778	1,778	1,778
109 AUTOMATIC IDENTIFICATION TECHNOLOGY	31,542	31,542	33,542	33,142
110 TC AIMS II	11,124	11,124	11,124	11,124
113 NETWORK MANAGEMENT INITIALIZATION AND SERVICE	53,898	53,898	53,898	53,898
114 MANEUVER CONTROL SYSTEM (MCS)	77,646	77,646	77,646	77,646
115 SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	46,861	46,861	46,861	46,861
116 RECONNAISSANCE AND SURVEYING INSTRUMENT SET	11,118	11,118	11,118	11,118
117 MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)	926	926	926	926
ELECT EQUIP - AUTOMATION				
118 GENERAL FUND ENTERPRISE BUSINESS SYSTEM	85,801	85,801	85,801	44,901
119 ARMY TRAINING MODERNIZATION	12,823	12,823	12,823	12,823
120 AUTOMATED DATA PROCESSING EQUIPMENT	254,723	179,723	239,723	209,723
121 CSS COMMUNICATIONS	33,749	33,749	33,749	33,749
122 RESERVE COMPONENT AUTOMATION SYS (RCAS)	39,675	39,675	39,675	39,675
ELECT EQUIP - AUDIO VISUAL SYS (A/V)				
124 ITEMS LESS THAN $5.0M (A/V)	2,709	2,709	2,709	2,709
125 ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	5,172	5,172	5,172	5,172
ELECT EQUIP - SUPPORT				
128 PRODUCTION BASE SUPPORT (C-E)	518	518	518	518
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	4,304,472	4,004,494	4,020,862	3,952,390

(In thousands of dollars)

	Budget	House	Senate	Recommendation
OTHER SUPPORT EQUIPMENT				
CHEMICAL DEFENSIVE EQUIPMENT				
129 PROTECTIVE SYSTEMS	2,081	2,081	2,081	2,081
130 CBRN SOLDIER PROTECTION	108,334	108,334	108,334	108,334
131 SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	7,135	7,135	7,135	7,135
BRIDGING EQUIPMENT				
132 TACTICAL BRIDGING	58,509	58,509	53,909	53,909
133 TACTICAL BRIDGE, FLOAT-RIBBON	135,015	135,015	135,015	135,015
ENGINEER (NON-CONSTRUCTION) EQUIPMENT				
134 HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	42,264	42,264	42,264	42,264
135 GROUND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS)	56,123	56,123	50,223	50,223
136 EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	49,333	49,333	49,333	56,533
137 ITEMS LESS THAN $5M, COUNTERMINE EQUIPMENT	3,479	3,479	3,479	3,479
138 AERIAL DETECTION	11,200	200	200	200
COMBAT SERVICE SUPPORT EQUIPMENT				
139 HEATERS AND ECU'S	11,924	11,924	11,924	11,924
141 SOLDIER ENHANCEMENT	4,071	4,071	4,071	4,071
142 LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	---	---	---	1,600
143 PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	6,981	6,981	6,981	6,981
144 GROUND SOLDIER SYSTEM	1,809	1,809	---	1,809
145 MOUNTED SOLDIER SYSTEM	1,085	1,085	---	1,085
147 FIELD FEEDING EQUIPMENT	57,872	61,372	57,872	60,672
148 CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	66,381	66,381	61,581	63,981
149 MOBILE INTEGRATED REMAINS COLLECTION SYSTEM:	16,585	16,585	16,585	16,585
150 ITEMS LESS THAN $5M (ENG SPT)	25,531	25,531	25,531	25,531
PETROLEUM EQUIPMENT				
152 DISTRIBUTION SYSTEMS, PETROLEUM & WATER	84,019	84,019	84,019	84,019
WATER EQUIPMENT				
153 WATER PURIFICATION SYSTEMS	7,173	7,173	7,173	7,173
MEDICAL EQUIPMENT				
154 COMBAT SUPPORT MEDICAL	33,694	34,694	36,694	36,694
MAINTENANCE EQUIPMENT				
155 MOBILE MAINTENANCE EQUIPMENT SYSTEMS	137,002	137,002	137,002	137,002
156 ITEMS LESS THAN $5.0M (MAINT EQ)	812	5,812	812	3,312
CONSTRUCTION EQUIPMENT				
157 GRADER, ROAD MTZD, HVY, 6X4 (CCE)	50,897	50,897	44,297	44,297
158 SKID STEER LOADER (SSL) FAMILY OF SYSTEM	18,387	18,387	18,387	18,387

(In thousands of dollars)

	Budget	House	Senate	Recommendation
161 MISSION MODULES - ENGINEERING	44,420	44,420	44,420	44,420
162 LOADERS	20,824	20,824	20,824	20,824
163 HYDRAULIC EXCAVATOR	18,785	18,785	18,785	18,785
164 TRACTOR, FULL TRACKED	50,102	50,102	50,102	50,102
166 PLANT, ASPHALT MIXING	12,915	12,915	12,915	12,915
167 HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS	36,451	36,451	36,451	36,451
168 CONST EQUIP ESP	8,391	8,391	8,391	8,391
169 ITEMS LESS THAN $5.0M (CONST EQUIP)	12,562	12,562	12,562	12,562
RAIL FLOAT CONTAINERIZATION EQUIPMENT				
170 JOINT HIGH SPEED VESSEL (JHSV)	183,666	183,666	183,666	183,666
171 HARBORMASTER COMMAND AND CONTROL CENTER(HCCC)	10,962	10,962	10,962	10,962
172 ITEMS LESS THAN $5.0M (FLOAT/RAIL)	6,785	6,785	6,785	6,785
GENERATORS				
173 GENERATORS AND ASSOCIATED EQUIPMENT	146,067	152,067	146,067	150,867
MATERIAL HANDLING EQUIPMENT				
174 ROUGH TERRAIN CONTAINER HANDLER (RTCH)	41,239	41,239	41,239	41,239
175 ALL TERRAIN LIFTING ARMY SYSTEM	44,898	44,898	44,898	44,898
TRAINING EQUIPMENT				
176 COMBAT TRAINING CENTERS SUPPORT	22,967	22,967	22,967	22,967
177 TRAINING DEVICES, NONSYSTEM	261,348	292,848	303,798	309,228
178 CLOSE COMBAT TACTICAL TRAINER	65,155	65,155	65,155	65,155
179 AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA	12,794	12,794	12,794	12,794
180 GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	7,870	7,870	7,870	7,870
TEST MEASURE AND DIG EQUIPMENT (TMD)				
181 CALIBRATION SETS EQUIPMENT	16,844	16,844	16,844	16,844
182 INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	101,320	101,320	101,320	101,320
183 TEST EQUIPMENT MODERNIZATION (TEMOD)	15,526	15,526	15,526	15,526
OTHER SUPPORT EQUIPMENT				
184 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	21,770	23,770	---	6,370
185 PHYSICAL SECURITY SYSTEMS (OPA3)	49,758	49,758	49,758	49,758
186 BASE LEVEL COM'L EQUIPMENT	1,303	1,303	1,303	1,303
187 MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	53,884	53,884	53,884	53,884
188 PRODUCTION BASE SUPPORT (OTH)	3,050	3,050	3,050	3,050
190 SPECIAL EQUIPMENT FOR USER TESTING	45,516	45,516	45,516	45,516
191 AMC CRITICAL ITEMS OPA3	12,232	12,232	12,232	12,232

(In thousands of dollars)

	Budget	House	Senate	Recommendation
192 MA8975	4,492	4,492	4,492	4,492
TOTAL, OTHER SUPPORT EQUIPMENT	2,331,592	2,369,592	2,319,478	2,355,672
SPARE AND REPAIR PARTS				
193 INITIAL SPARES - C&E	25,867	25,867	25,867	25,867
194 WIN-T INCREMENT 2 SPARES	9,758	9,758	9,758	9,758
TOTAL, SPARE AND REPAIR PARTS	35,625	35,625	35,625	35,625
CLASSIFIED PROGRAMS	2,522	2,522	2,522	2,522
TOTAL, OTHER PROCUREMENT, ARMY	9,907,151	9,293,801	9,395,444	8,582,660

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
4	HIGH MOBILITY MULTI-PURPOSE WHEELED VEHICLE (HMMWV)	281,123	281,123	282,323	282,083
	HMMWV Egress Assistance Trainer for the Tennessee National Guard			200	160
	Reinforcement HMMWV Repair Hood Kits			1,000	800
5	FAMILY OF MEDIUM TACTICAL VEHICLES (FMTV)	1,158,522	965,522	1,033,522	497,822
	Schedule slip		-193,000		-174,000
	Program reduction			-125,000	0
	Transfer to Other Procurement, Army line number 5 in Title IX				-486,700
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	812,918	786,566	812,918	612,918
	Funding ahead of need		-26,352		0
	Transfer to Other Procurement, Army line number 7 in Title IX				-200,000
10	MINE PROTECTION VEHICLE FAMILY	402,517	267,797	325,517	279,197
	Funding in excess of need		-134,720		-134,720
	Authorization Adjustment			-90,000	0
	Mine Resistant Ambush Protected Vehicle Virtual Trainers for the Illinois National Guard			8,000	6,400
	Mine Resistant Ambush Protected Vehicle Virtual Trainers for the Tennessee National Guard			5,000	5,000
13	HEAVY EXPANDED MOBILE TACTICAL TRUCK EXTENDED SERVICE	180,793	180,793	170,593	170,593
	Pricing adjustment			-10,200	-10,200
15	MODIFICATION OF IN SERVICE EQUIPMENT	10,314	10,314	0	2,314
	Prior year funds are available			-10,314	-8,000
16	ITEMS LESS THAN $5.0M (TAC VEH)	298	298	5,898	4,778
	Ultra Light Utility Vehicles for the National Guard (Includes transfer from line number 20)			5,600	4,480
17	TOWING DEVICE-FIFTH WHEEL	414	1,114	414	974
	Fifth-Wheel Towing Devices for the Puerto Rico Army National Guard		700		560
19	PASSENGER CARRYING VEHICLES	269	269	0	0
	Prior year funds are available			-269	-269
20	NONTACTICAL VEHICLES, OTHER	3,052	5,052	3,052	3,052
	Ultralight Utility Vehicles for the National Guard (Transferred to line number 16)		2,000		0
26	SUPER HIGH FREQUENCY TERMINALS	90,918	90,918	94,918	94,118
	Phoenix Quad-Band Satellite Receiver for the Delaware National Guard			4,000	3,200
35	JOINT TACTICAL RADIO SYSTEM	90,204	35,040	35,040	35,040
	Funding ahead of need		-55,164		0
	Delay in JTRS Ground Mobile Radio			-55,164	-55,164

P-1		Budget Request	House	Senate	Recommendation
37	SINCGARS FAMILY	6,812	3,000	3,500	3,000
	Funding in excess of need		-6,812	-6,812	-6,812
	Radio Personality Modules for SINCGARS Test Sets		3,000	3,500	3,000
41	COMMUNICATIONS-ELECTRONICS EQUIPMENT FIELDING	0	7,360	6,000	8,288
	Communications Aerial Platforms for Increased Situational Awareness for the Minnesota National Guard		2,360		1,888
	Regional Emergency Response Network Emergency Cell Phone Capability		5,000	3,000	4,000
	Tactical/Crew Served Weapon Illumination Systems			3,000	2,400
74	SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM	6,420	6,420	0	0
	Funding ahead of need			-6,420	-6,420
81	SENSE THROUGH THE WALL (STTW)	25,352	25,352	0	0
	Funding ahead of need			-25,352	-25,352
82	NIGHT VISION DEVICES	366,820	191,158	180,458	180,458
	Funding ahead of need		-175,662		0
	Funding in excess of need			-186,362	-186,362
98	MORTAR FIRE CONTROL SYSTEM	15,520	15,520	17,820	17,820
	Accelerated Precision Mortar Initiative			2,300	2,300
102	TACTICAL OPERATIONS CENTERS	29,934	32,234	29,934	31,774
	Tactical Operations Center for the Washington National Guard		2,300		1,840
103	FIRE SUPPORT C2 FAMILY	39,042	39,042	32,742	32,742
	Pricing adjustment			-6,300	-6,300
109	AUTOMATIC IDENTIFICATION TECHNOLOGY	31,542	31,542	33,542	33,142
	Red River Army Depot Modernization			2,000	1,600
118	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	85,801	85,801	85,801	44,901
	Army requested transfer to RDT&E, Army line number 111				-17,900
	Army requested transfer to O&M, Army line number 432				-23,000
120	AUTOMATED DATA PROCESSING EQUIP	254,723	179,723	239,723	209,723
	Unjustified growth		-75,000	-15,000	-45,000
132	TACTICAL BRIDGING	58,509	58,509	53,909	53,909
	Pricing adjustment			-4,600	-4,600
135	GROUND STANDOFF MINE DETECTION SYSTEM	56,123	56,123	50,223	50,223
	Funding ahead of need			-8,900	-8,900
	FIDO Explosives Detector			3,000	3,000

P-1	Budget Request	House	Senate	Recommendation
136 EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	49,333	49,333	49,333	56,533
Magneto Inductive Remote Activation Munitions System (MI-RAMS) M156/M39 Kits and M40 Receivers (Transferred from Procurement of Ammunition, Army line number 25)				7,200
138 AERIAL DETECTION	11,200	200	200	200
Funding ahead of need		-11,000	-11,000	-11,000
142 LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	0	0	0	1,600
Expandable Light Air Mobility Shelters (ELAMs) and Contingency Response Communications System (CRCS) for the Illinois National Guard (Transferred from O&M, Army National Guard line number 121)				1,600
144 GROUND SOLDIER SYSTEM	1,809	1,809	0	1,809
Funding ahead of need			-1,809	0
145 MOUNTED SOLDIER SYSTEM	1,085	1,085	0	1,085
Funding ahead of need			-1,085	0
147 FIELD FEEDING EQUIPMENT	57,872	61,372	57,872	60,672
Multi-Temperature Refrigerated Container System		3,500		2,800
148 CARGO AERIAL DELIVERY AND PERSONNEL PARACHUTE SYSTEM	66,381	66,381	61,581	63,981
Pricing adjustment			-4,800	-2,400
154 COMBAT SUPPORT MEDICAL	33,694	34,694	36,694	36,894
Life Support for Trauma and Transport		1,000		800
Combat Casualty Care Upgrade Program			3,000	2,400
156 ITEMS LESS THAN $5.0M (MAINTENANCE EQUIPMENT)	812	5,812	812	3,312
Program Increase - Classified Waste Destruction		5,000		2,500
157 GRADER, ROAD MTZD, HVY, 6X4 (CCE)	50,897	50,897	44,297	44,297
Pricing adjustment			-6,600	-6,600
173 GENERATORS AND ASSOCIATED EQUIPMENT	146,067	152,067	146,067	150,867
Kentucky National Guard Emergency Response Generator Stockpile		6,000		4,800
177 TRAINING DEVICES, NONSYSTEM	261,348	292,848	303,798	309,228
Combat Skills Marksmanship Trainer		4,000	3,600	4,000
Combined Arms Virtual Trainers for the New Mexico National Guard		500		400
Combined Arms Virtual Trainers for the Tennessee National Guard		5,000	5,000	5,000
Program Increase - Training Simulators for the National Guard		9,000		4,000
Fort Bragg Range 74 Combined Arms Collective Training Facility		1,000		800
Individual Gunnery; Tank Gunnery; and Tabletop Full-Fidelity Trainers for the New Mexico National Guard		2,000		1,600
Laser Marksmanship Training System		2,000		2,000
Machine Gun Training System for the Pennsylvania National Guard		3,000		2,400
Mobile Firing Range for the Texas National Guard		1,500		1,500
Virtual Convoy Operations Trainer for the New Mexico National Guard		1,500		1,200

P-1	Budget Request	House	Senate	Recommendation
Virtual Interactive Combat Environment Training System for the Virginia National Guard		2,000	2,000	2,000
Call for Fire Trainer II/Joint Fires and Effects Trainer System			5,000	5,000
Immersive Group Simulation Virtual Training System for the Hawaii National Guard			2,500	2,300
Muscatatuck Urban Training Center Instrumentation for the National Guard			2,000	2,000
Training Range Enhancements			15,000	7,500
US Army Operator Driving Simulator for the Tennessee National Guard			350	280
Virtual Convoy Operations Trainers for the Illinois National Guard			3,000	2,400
Virtual Interactive Combat Environment for the New Jersey National Guard			4,000	3,500
184 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	**21,770**	**23,770**	**0**	**6,370**
Prior year funds are available			-21,770	-17,000
Mobile Defensive Fighting Position		2,000		1,600

ARMY TRUCK PROGRAM

Concerns persist regarding the absence of an overall truck acquisition strategy to guide the Army's plans and programs. It is not clear that the Army has conducted the needed analyses for sound acquisition plans or to reap potential savings. Not later than 180 days after the enactment of this Act, the Secretary of the Army shall provide a report to the congressional defense committees detailing the Army's acquisition strategy for future truck procurement.

NETWORKED COMMUNICATIONS CAPABILITIES

The recommendation continues to support the overall objectives of the Joint Tactical Radio System (JTRS) program, but concerns remain about the technical risk, cost and availability of the JTRS radios. While the JTRS family of radios and waveforms has successfully tested several variants and demonstrated key networking waveforms, full testing objectives have not been realized. The Secretary of Defense is encouraged to examine lower-risk approaches to bridge the networked communications gap while providing interoperability and moving toward a competitive radio business model. Competition is encouraged between legacy and commercially available radios and waveforms that meet the majority of JTRS approved standards until such time as the JTRS radios are fielded. Additionally, the Assistant Secretary of Defense for Networks and Information Integration is encouraged to examine the cost effectiveness of such an approach and to submit a report to the congressional defense committees not later than March 15, 2010, with recommendations for closing any networked communications capability gap with commercially available and legacy radios and waveforms.

MODIFICATION OF IN-SERVICE EQUIPMENT

According to accounting reports, the Army has over $1,284,000,000 in prior year funding available for Modification of In-Service Equipment, Budget Activity-1. Therefore, the recommendation provides $2,314,000 for this program in fiscal year 2010, a reduction of $8,000,000. Additionally, due to the large prior year funding balance, the recommendation includes a reduction of $195,950,000 in the title IX portion of this program.

RAPID EQUIPPING FORCE

For fiscal year 2010, the recommendation provides $13,370,000 for Rapid Equipping Force funding, a reduction of $35,400,000 from the budget request due to funding available in prior year accounts. There is concern with the Army's demand driven approach in providing Soldier Wearable Acoustic Targeting Systems (SWATS) to soldiers, and a strong belief that the equipment should be made available to all deploying units, not just those units submitting Urgent Needs Statements.

The Supplemental. Appropriations Act, 2009 provided $50,000,000 for SWATS. However, the slow pace of obligating available funding for the life-saving SWATS, and the lack of urgency in establishing a basis of issue plan and making it a Program of Record causes concern. The Army is expected to correct the situation quickly.

The Secretary of the Army has yet to provide a report on the acquisition objective and basis of issue plan for both vehicular and soldier wearable sniper detection equipment as directed in the Joint Explanatory Statement accompanying the Supplemental Appropriations Act, 2009. The report shall be provided to the congressional defense committees not later than 60 days after enactment of this Act.

AIRCRAFT PROCUREMENT, NAVY

For Aircraft Procurement, Navy, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	AIRCRAFT PROCUREMENT, NAVY				
	COMBAT AIRCRAFT				
2	EA-18G	1,611,837	1,611,837	1,611,837	1,611,837
3	EA-18G (AP-CY)	20,559	20,559	20,559	20,559
4	F/A-18E/F (FIGHTER) HORNET (MYP)	1,009,537	1,504,537	1,009,537	1,504,537
5	F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY)	51,431	159,431	51,431	51,431
6	JOINT STRIKE FIGHTER	3,997,048	3,576,448	3,997,048	3,997,048
7	JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)	481,000	481,000	481,000	481,000
8	V-22 (MEDIUM LIFT)	2,215,829	2,215,829	2,215,829	2,215,829
9	V-22 (MEDIUM LIFT) (AP-CY)	84,342	84,342	84,342	84,342
10	UH-1Y/AH-1Z	709,801	609,801	544,801	584,801
11	UH-1Y/AH-1Z (AP-CY)	70,550	35,550	70,550	50,550
12	MH-60S (MYP)	414,145	414,145	374,145	394,145
13	MH-60S (MYP) (AP-CY)	78,830	78,830	78,830	78,830
14	MH-60R	811,781	818,281	811,781	816,281
15	MH-60R (AP-CY)	131,504	131,504	118,304	118,304
16	P-8A POSEIDON	1,664,525	1,664,525	1,664,525	1,664,525
17	P-8A POSEIDON (ADVANCED PROCUREMENT)	160,526	138,445	149,626	138,425
18	E-2C (EARLY WARNING) HAWKEYE (MYP)	511,245	649,445	511,245	649,445
19	E-2C (EARLY WARNING) HAWKEYE (MYP) (AP-CY)	94,924	94,924	57,524	94,924
	TOTAL, COMBAT AIRCRAFT	14,119,414	14,289,433	13,852,914	14,556,813
	AIRLIFT AIRCRAFT				
20	C-40A	74,381	74,381	74,381	74,381
	TOTAL, AIRLIFT AIRCRAFT	74,381	74,381	74,381	74,381

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	TRAINER AIRCRAFT				
22	JPATS	266,539	257,939	260,539	256,239
	TOTAL, TRAINER AIRCRAFT	266,539	257,939	260,539	256,239
	OTHER AIRCRAFT				
25	RQ-7 UAV	56,797	51,547	53,797	51,547
26	MQ-8 UAV	77,616	64,316	77,616	77,616
	OTHER SUPPORT AIRCRAFT	---	---	6,200	1,960
	TOTAL, OTHER AIRCRAFT	134,413	115,863	137,613	131,123
	MODIFICATION OF AIRCRAFT				
28	EA-6 SERIES	39,977	39,977	39,977	39,977
29	AV-8 SERIES	35,668	31,868	35,668	31,868
30	F-18 SERIES	484,129	396,929	463,729	432,929
31	H-46 SERIES	35,325	35,325	35,325	35,325
32	AH-1W SERIES	66,461	66,461	33,061	33,061
33	H-53 SERIES	68,197	68,197	68,197	68,197
34	SH-60 SERIES	82,253	82,253	82,253	82,253
35	H-1 SERIES	20,040	20,040	20,040	20,040
36	EP-3 SERIES	92,530	92,530	92,530	92,530
37	P-3 SERIES	485,171	428,371	485,171	428,371
39	E-2 SERIES	22,853	22,853	42,853	32,853
40	TRAINER A/C SERIES	20,907	20,907	17,207	17,207
41	C-2A	21,343	21,343	21,343	21,343
42	C-130 SERIES	22,449	22,449	22,449	22,449

(In thousands of dollars)

		Budget	House	Senate	Recommendation
43	FEWSG	9,486	9,486	9,486	9,486
44	CARGO/TRANSPORT A/C SERIES	19,429	19,429	19,429	19,429
45	E-6 SERIES	102,646	102,646	102,646	102,646
46	EXECUTIVE HELICOPTERS SERIES	42,456	42,456	42,456	42,456
47	SPECIAL PROJECT AIRCRAFT	14,869	12,369	14,869	12,369
48	T-45 SERIES	51,484	49,184	51,484	48,984
49	POWER PLANT CHANGES	26,395	26,395	26,395	26,395
50	JPATS SERIES	4,922	4,922	4,922	4,922
51	AVIATION LIFE SUPPORT MODS	5,594	5,594	5,594	5,594
52	COMMON ECM EQUIPMENT	47,419	51,219	48,919	49,819
53	COMMON AVIONICS CHANGES	151,112	142,812	151,112	142,812
55	ID SYSTEMS	24,125	24,125	24,125	24,125
56	V-22 (TILT/ROTOR ACFT) OSPREY	24,502	24,502	24,502	24,502
	TOTAL, MODIFICATION OF AIRCRAFT	2,021,742	1,864,642	1,985,742	1,871,942
	AIRCRAFT SPARES AND REPAIR PARTS				
57	SPARES AND REPAIR PARTS	1,264,012	1,223,412	1,272,812	1,258,212
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES				
58	COMMON GROUND EQUIPMENT	363,588	365,588	361,088	360,288
59	AIRCRAFT INDUSTRIAL FACILITIES	11,075	11,075	11,075	11,075
60	WAR CONSUMABLES	55,406	55,406	55,406	55,406
61	OTHER PRODUCTION CHARGES	23,861	23,861	23,861	23,861
62	SPECIAL SUPPORT EQUIPMENT	42,147	42,147	42,147	42,147
63	FIRST DESTINATION TRANSPORTATION	1,734	1,734	1,734	1,734
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT & FACILITIES	497,811	499,811	495,311	494,511
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	18,378,312	18,325,481	18,079,312	18,643,221

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
4	F/A-18E/F (FIGHTER) HORNET (MYP)	1,009,537	1,504,537	1,009,537	1,504,537
	Funding for nine additional aircraft		495,000		495,000
5	F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY)	51,431	159,431	51,431	51,431
	Economic Order Quantity and Cost Reduction Initiative funding for Multi-year Procurement		108,000		
6	JOINT STRIKE FIGHTER	3,997,048	3,576,448	3,997,048	3,997,048
	Reduction of two aircraft - no fiscal year 2009 advance procurement		-300,000		
	Non-recurring equipment execution		-120,600		
10	UH-1Y/AH-1Z	709,801	609,801	544,801	584,801
	Reduction of four aircraft		-100,000		
	Reduction of six aircraft			-165,000	
	Reduction of five aircraft				-125,000
11	UH-1Y/AH-1Z (AP-CY)	70,550	35,550	70,550	50,550
	Excess advance procurement		-35,000		-20,000
12	MH-60S (MYP)	414,145	414,145	374,145	394,145
	Funding ahead of need			-40,000	-20,000
14	MH-60R	811,781	818,281	811,781	816,281
	Multi-Mission Helicopter Avionics System Test Bed		1,500		1,500
	Program Increase - Airborne Sonar		5,000		3,000
15	MH-60R (AP-CY)	131,504	131,504	118,304	118,304
	Excess to requirement			-13,200	-13,200
17	P-8A POSEIDON (ADVANCE PROCUREMENT)	160,526	138,445	149,626	138,425
	Excessive advance procurement growth		-7,680	-7,700	-7,700
	Funding for production line slots		-14,401	-3,200	-14,401
18	E-2C (EARLY WARNING) HAWKEYE (MYP)	511,245	649,445	511,245	649,445
	Engineering Change Orders growth		-3,800		-3,800
	Funding for one additional aircraft		142,000		142,000
19	E-2C (EARLY WARNING) HAWKEYE (MYP) (AP-CY)	94,924	94,924	57,524	94,924
	Unjustified growth			-37,400	
22	JPATS	266,539	257,939	260,539	256,239
	Airframe unit cost growth		-4,300	-6,000	-6,000
	Support funding carryover		-4,300		-4,300
25	RQ-7 UAV	56,797	51,547	53,797	51,547
	Attrition vehicles		-5,250	-3,000	-5,250
26	MQ-8 UAV	77,616	64,316	77,616	77,616
	Maintain minimum sustaining rate due to Littoral Combat Ship delays		-13,300		

P-1		Budget Request	House	Senate	Recommendation
27	OTHER SUPPORT AIRCRAFT	0	0	6,200	1,960
	EL/M-2032 Radar Upgrade to Navy Adversary Aircraft			2,000	
	UC-12 Replacement Aircraft			4,200	1,960
29	AV-8 SERIES	35,668	31,868	35,668	31,868
	Other support funding growth within obsolescence replacement Operational Safety Improvement Program		-1,800		-1,800
	Engine Management System contract delay		-2,000		-2,000
30	F-18 SERIES	484,129	396,929	463,729	432,929
	Excessive growth of IR Marker ECP		-3,400	-3,400	-3,400
	Radar upgrades ahead of need		-78,800		
	Engineering Change Orders excessive growth		-5,000		-5,000
	SLMP kits ahead of need			-4,700	-4,700
	Delay in MIDS/JTR development schedule			-12,300	-12,300
	Radome and Weapon Ready Assembly funding ahead of need				-25,800
32	AH-1W SERIES	66,461	66,461	33,061	33,061
	Delay in A/C and T700 engine modification			-33,400	-33,400
37	P-3 SERIES	485,171	428,371	485,171	428,371
	Outer wing replacement kits cost growth		-56,800		-56,800
39	E-2 SERIES	22,853	22,853	42,853	32,853
	Reliability enhancements for E-2C			20,000	10,000
40	TRAINER A/C SERIES	20,907	20,907	17,207	17,207
	Program delay			-3,700	-3,700
47	SPECIAL PROJECT AIRCRAFT	14,869	12,369	14,869	12,369
	Support funding growth within intelligence sensors Operational Safety Improvement Program		-2,500		-2,500
48	T-45 SERIES	51,484	49,184	51,484	48,984
	Avionics Modernization Program kits ahead of need		-3,300		-3,300
	Universal Avionics Recorder Wireless Flight Download Data		1,000		800
52	COMMON ECM EQUIPMENT	47,419	51,219	48,919	49,819
	ALE-47 retrofit kits ahead of need		-3,200		-3,200
	AN/AAR-47D(V)X Missile Warning System		5,000		4,000
	Crane Integrated Defensive Electronic Countermeasures Depot Capability		2,000	1,500	1,600
53	COMMON AVIONICS CHANGES	151,112	142,812	151,112	142,812
	Other support funding growth within Global Positioning System Operational Safety Improvement Program		-3,400		-3,400
	CNS/ATM installation kits cost growth		-2,500		-2,500
	Advanced Mission Computer and Display Kits ahead of need		-2,400		-2,400
57	SPARES AND REPAIR PARTS	1,264,012	1,223,412	1,272,812	1,258,212
	UH-1Y/AH-1Z reduction		-1,600	-2,400	-2,000
	E-2D spares growth		-15,000		-15,000
	Joint Strike Fighter reduction		-24,000		
	Additional F-18 Aircraft			11,200	11,200

P-1		Budget Request	House	Senate	Recommendation
58	COMMON GROUND EQUIPMENT	363,588	365,588	361,088	360,288
	Advanced Skills Management Command Portal - Fleet Readiness Centers		2,000	2,000	2,000
	Excessive growth in production engineering support			-8,500	-8,500
	Direct Squadron Support Readiness Training Program			4,000	3,200

F–18 AIRCRAFT

The variants of the F–18 aircraft have been the workhorses of the Navy's aviation fleet for a generation. Consistent with the National Defense Authorization Act for Fiscal Year 2010, a multi-year procurement strategy has been approved to complete the procurement of the F–18E/F/G aircraft as the Navy transitions to the Joint Strike Fighter aircraft.

WEAPONS PROCUREMENT, NAVY

For Weapons Procurement, Navy, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	WEAPONS PROCUREMENT, NAVY				
	BALLISTIC MISSILES				
	MODIFICATION OF MISSILES				
1	TRIDENT II MODS	1,060,504	1,055,504	1,060,504	1,055,504
	SUPPORT EQUIPMENT AND FACILITIES				
2	MISSILE INDUSTRIAL FACILITIES	3,447	3,447	3,447	3,447
	TOTAL, BALLISTIC MISSILES	1,063,951	1,058,951	1,063,951	1,058,951
	OTHER MISSILES				
	STRATEGIC MISSILES				
3	TOMAHAWK	283,055	273,655	283,055	277,355
	TACTICAL MISSILES				
4	AMRAAM	145,506	134,506	140,506	138,506
5	SIDEWINDER	56,845	53,845	56,845	53,845
6	JSOW	145,336	123,536	145,336	142,436
8	STANDARD MISSILE	249,233	131,604	249,233	189,233
9	RAM	74,784	69,944	74,784	69,944
10	HELLFIRE	59,411	56,911	59,411	59,411
11	AERIAL TARGETS	47,003	43,483	47,003	43,483
12	OTHER MISSILE SUPPORT	3,928	3,928	3,928	3,928
	MODIFICATION OF MISSILES				
13	ESSM	51,388	51,388	51,388	51,388
14	HARM MODS	47,973	44,973	47,973	47,973
15	STANDARD MISSILES MODS	81,451	81,451	81,451	81,451
	SUPPORT EQUIPMENT AND FACILITIES				
16	WEAPONS INDUSTRIAL FACILITIES	3,211	3,211	13,211	12,711
17	FLEET SATELLITE COMM FOLLOW-ON	487,280	482,593	487,280	482,593
18	FLEET SATELLITE COMM FOLLOW-ON (AP-CY)	28,847	28,847	28,847	28,847
	ORDNANCE SUPPORT EQUIPMENT				
19	ORDNANCE SUPPORT EQUIPMENT	48,883	48,883	48,883	48,883
	TOTAL, OTHER MISSILES	1,814,134	1,632,758	1,819,134	1,731,987

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	TORPEDOES AND RELATED EQUIPMENT				
	TORPEDOES AND RELATED EQUIP				
21	ASW TARGETS	9,288	9,288	9,288	9,288
	MOD OF TORPEDOES AND RELATED EQUIP				
22	MK-46 TORPEDO MODS	94,159	96,823	82,423	90,263
23	MK-48 TORPEDO ADCAP MODS	61,608	56,308	56,308	56,308
24	QUICKSTRIKE MINE	4,680	4,680	4,680	4,680
	SUPPORT EQUIPMENT				
25	TORPEDO SUPPORT EQUIPMENT	39,869	35,329	39,869	35,329
26	ASW RANGE SUPPORT	10,044	10,044	10,044	10,044
	DESTINATION TRANSPORTATION				
27	FIRST DESTINATION TRANSPORTATION	3,434	3,434	3,434	3,434
	TOTAL, TORPEDOES AND RELATED EQUIPMENT	223,082	215,906	206,046	209,346
	OTHER WEAPONS				
	GUNS AND GUN MOUNTS				
28	SMALL ARMS AND WEAPONS	12,742	12,742	12,742	12,742
	MODIFICATION OF GUNS AND GUN MOUNTS				
29	CIWS MODS	158,896	125,396	158,896	158,896
30	COAST GUARD WEAPONS	21,157	21,157	21,157	21,157
31	GUN MOUNT MODS	30,761	30,761	35,761	35,761
33	CRUISER MODERNIZATION WEAPONS	51,227	51,227	51,227	51,227
34	AIRBORNE MINE NEUTRALIZATION SYSTEMS	12,309	12,309	12,309	12,309
	OTHER				
	TOTAL, OTHER WEAPONS	287,092	253,592	292,092	292,092
37	SPARES AND REPAIR PARTS	65,196	65,196	65,196	65,196
	TOTAL, WEAPONS PROCUREMENT, NAVY	3,453,455	3,226,403	3,446,419	3,357,572

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
1	TRIDENT II MODS	1,060,504	1,055,504	1,060,504	1,055,504
	Support funding growth		-5,000		-5,000
3	TOMAHAWK	283,055	273,655	283,055	277,355
	Missile hardware and capsule cost growth		-5,400		-2,700
	Product improvement		-4,000		-3,000
4	AMRAAM	145,506	134,506	140,506	138,506
	Diminished manufacturing sources funding ahead of need		-11,000	-5,000	-7,000
5	SIDEWINDER	56,845	53,845	56,845	53,845
	Support funding carryover		-3,000		-3,000
6	JSOW	145,336	123,536	145,336	142,436
	All up round missile cost growth		-18,900		
	Support funding carryover		-2,900		-2,900
8	STANDARD MISSILE	249,233	131,604	249,233	189,233
	SM-6 missile contract delay		-117,629		-60,000
9	RAM	74,784	69,944	74,784	69,944
	Missile component cost growth		-1,740		-1,740
	Support funding carryover		-3,100		-3,100
10	HELLFIRE	59,411	56,911	59,411	59,411
	Support funding carryover		-2,500		
11	AERIAL TARGETS	47,003	43,483	47,003	43,483
	Excess sub-sonic target support funding		-2,020		-2,020
	Support funding carryover		-1,500		-1,500
14	HARM MODS	47,973	44,973	47,973	47,973
	Production engineering carryover		-3,000		
16	WEAPONS INDUSTRIAL FACILITIES	3,211	3,211	13,211	12,711
	Allegany Ballistics Laboratory Facility Restoration Plan			10,000	9,500
17	FLEET SATELLITE COMM FOLLOW-ON	487,280	482,593	487,280	482,593
	Support funding carryover		-4,687		-4,687
22	MK-46 TORPEDO MODS	94,159	96,823	82,423	90,263
	Support funding carryover		-7,136	-7,136	-7,136
	Intelligent Graphics Torpedo Test Set Troubleshooting Maintainers Aid		5,000		4,000
	Lightweight Torpedo P5U Test Equipment Modernization		4,800		3,840
	Excess Test and Evaluation funding			-4,600	-4,600
23	MK-48 TORPEDO ADCAP MODS	61,608	56,308	56,308	56,308
	Support funding carryover		-5,300	-5,300	-5,300
25	TORPEDO SUPPORT EQUIPMENT	39,869	35,329	39,869	35,329
	Otto fuel cost growth		-2,740		-2,740
	Support funding carryover		-1,800		-1,800

P-1	Budget Request	House	Senate	Recommendation
29 CIWS MODS	158,896	125,396	158,896	158,896
Block 1B modification kits ahead of need		-19,000		
Engineering Change Orders growth		-14,500		
31 GUN MOUNT MODS	30,761	30,761	35,761	35,761
MK-110 57mm Naval Gun			2,000	2,000
MK-38 Minor Caliber Gun System			3,000	3,000

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For Procurement of Ammunition, Navy and Marine Corps, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS				
	PROC AMMO, NAVY				
	NAVY AMMUNITION				
1	GENERAL PURPOSE BOMBS	75,227	73,227	75,227	73,227
2	JDAM	1,968	1,968	1,968	1,968
3	AIRBORNE ROCKETS, ALL TYPES	38,643	38,643	38,643	38,643
4	MACHINE GUN AMMUNITION	19,622	12,062	12,062	12,062
5	PRACTICE BOMBS	33,803	29,003	24,503	28,103
6	CARTRIDGES & CART ACTUATED DEVICES	50,600	48,000	50,600	48,000
7	AIR EXPENDABLE COUNTERMEASURES	79,102	64,302	69,302	64,302
8	JATOS	3,230	3,230	3,230	3,230
9	5 INCH/54 GUN AMMUNITION	27,483	23,083	27,483	23,083
10	INTERMEDIATE CALIBER GUN AMMUNITION	25,974	25,974	25,974	25,974
11	OTHER SHIP GUN AMMUNITION	35,934	35,934	35,934	35,934
12	SMALL ARMS & LANDING PARTY AMMO	43,490	33,861	43,490	40,526
13	PYROTECHNIC AND DEMOLITION	10,623	10,623	10,623	10,623
14	AMMUNITION LESS THAN $5 MILLION	3,214	3,214	3,214	3,214
	TOTAL, PROC AMMO, NAVY	448,913	403,124	422,253	406,689

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	PROC AMMO, MARINE CORPS				
	MARINE CORPS AMMUNITION				
15	SMALL ARMS AMMUNITION	87,781	87,781	87,781	87,781
16	LINEAR CHARGES, ALL TYPES	23,582	23,582	23,582	23,582
17	40 MM, ALL TYPES	57,291	57,291	57,291	57,291
18	60MM, ALL TYPES	22,037	22,037	22,037	22,037
19	81MM, ALL TYPES	54,869	54,869	54,869	54,869
20	120MM, ALL TYPES	29,579	29,579	29,579	29,579
21	CTG 25MM, ALL TYPES	2,259	2,259	2,259	2,259
22	GRENADES, ALL TYPES	10,694	10,694	10,694	10,694
23	ROCKETS, ALL TYPES	13,948	13,948	13,948	13,948
24	ARTILLERY, ALL TYPES	57,948	57,948	57,948	57,948
26	DEMOLITION MUNITIONS, ALL TYPES	14,886	14,886	14,886	14,886
27	FUZE, ALL TYPES	575	575	575	575
28	NON LETHALS	3,034	3,034	3,034	3,034
29	AMMO MODERNIZATION	8,886	8,886	8,886	8,886
30	ITEMS LESS THAN $5 MILLION	4,393	4,393	4,393	4,393
	TOTAL, PROC AMMO, MARINE CORPS	391,762	391,762	391,762	391,762
	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	840,675	794,886	814,015	800,651

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
1	GENERAL PURPOSE BOMBS	75,227	73,227	75,227	73,227
	Direct attack cost growth		-2,000		-2,000
4	MACHINE GUN AMMUNITION	19,622	12,062	12,062	12,062
	20MM linkless TP cost growth		-2,900	-2,900	-2,900
	20MM linked TP cost growth		-1,990	-1,990	-1,990
	20MM linked HEI cost growth		-2,670	-2,670	-2,670
5	PRACTICE BOMBS	33,803	29,003	24,503	28,103
	Enhanced Laser Guided Training Round cost growth		-9,300	-9,300	-9,300
	Enhanced Laser Guided Training Round		4,500		3,600
6	CARTRIDGES & CART ACTUATED DEVICES	50,600	48,000	50,600	48,000
	Support funding carryover		-2,600		-2,600
7	AIR EXPENDABLE COUNTERMEASURES	79,102	64,302	69,302	64,302
	MJU55 contract delay		-9,800		
	Support funding carryover		-5,000		-5,000
	MJU-55 production termination			-9,800	-9,800
9	5 INCH/54 GUN AMMUNITION	27,483	23,083	27,483	23,083
	Multi-option fuze cost growth		-4,400		-4,400
12	SMALL ARMS & LANDING PARTY AMMO	43,490	33,861	43,490	40,526
	Tracer cartridge cost growth		-1,300		-1,300
	APIT cartridge contract delay		-8,329		
	APIT cartridge cost growth				-1,664

SHIPBUILDING AND CONVERSION, NAVY

For Shipbuilding and Conversion, Navy, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	SHIPBUILDING & CONVERSION, NAVY				
	OTHER WARSHIPS				
1	CARRIER REPLACEMENT PROGRAM	739,269	739,269	739,269	739,269
2	CARRIER REPLACEMENT PROGRAM (AP-CY)	484,432	484,432	484,432	484,432
3	VIRGINIA CLASS SUBMARINE	1,964,317	1,964,317	1,964,317	1,964,317
4	VIRGINIA CLASS SUBMARINE (AP-CY)	1,959,725	1,959,725	1,959,725	1,959,725
5	CVN REFUELING OVERHAUL	1,563,602	1,563,602	1,563,602	1,563,602
6	CVN REFUELING OVERHAULS (AP-CY)	211,820	211,820	211,820	211,820
9	DDG 1000	1,084,161	1,073,161	1,393,797	1,382,797
11	DDG-51	1,912,267	1,912,267	3,650,000	1,912,267
12	DDG-51 (AP-CY)	328,996	328,996	328,996	578,996
13	LITTORAL COMBAT SHIP	1,380,000	2,160,000	1,080,000	1,080,000
	TOTAL, OTHER WARSHIPS	11,628,589	12,397,589	13,375,958	11,877,225
	AMPHIBIOUS SHIPS				
14	LPD-17	872,392	872,392	872,392	872,392
15	LPD-17(AP-CY)	184,555	184,555	184,555	184,555
16	LHA REPLACEMENT (AP-CY)	---	---	170,000	170,000
18	INTRATHEATER CONNECTOR	177,956	357,956	177,956	177,956
	TOTAL, AMPHIBIOUS SHIPS	1,234,903	1,414,903	1,404,903	1,404,903
	AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM COSTS				
19	OUTFITTING	391,238	386,903	391,238	386,903
20	SERVICE CRAFT	3,694	3,694	3,694	3,694
21	LCAC SLEP	63,857	63,857	63,857	63,857
22	COMPLETION OF PY SHIPBUILDING PROGRAMS	454,586	454,586	144,950	144,950
	TOTAL, AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM	913,375	909,040	603,739	599,404
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	13,776,867	14,721,532	15,384,600	13,881,532

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
9	DDG 1000	1,084,161	1,073,161	1,393,797	1,382,797
	Excess change order funding		-11,000		-11,000
	Transfer from Line number 22			309,636	309,636
11	DDG-51	1,912,267	1,912,267	3,650,000	1,912,267
	Add second ship			1,737,733	
12	DDG-51 (AP-CY)	328,996	328,996	328,996	578,996
	Additional advance procurement				250,000
13	LITTORAL COMBAT SHIP	1,380,000	2,160,000	1,080,000	1,080,000
	Properly price fiscal year 2010 ships		240,000		
	Funding for one additional vessel		540,000		
	Reprice request; fund two ships			-300,000	-300,000
17	LHA REPLACEMENT (AP)	0	0	170,000	170,000
	Additional advance procurement			170,000	170,000
18	INTRATHEATER CONNECTOR	177,956	357,956	177,956	177,956
	Funding for one additional Joint High Speed Vessel		180,000		
19	OUTFITTING	391,238	386,903	391,238	386,903
	DDG -1000 outfitting ahead of need		-4,335		-4,335
22	COMPLETION OF PY SHIPBUILDING PROGRAMS	454,586	454,586	144,950	144,950
	Transfer to line number 9			-309,636	-309,636

SHIPBUILDING

The fiscal year 2010 shipbuilding budget request from the Department once again falls short of the quantity of ten ships nominally required to reach and maintain the required fleet size of 313 ships. Further, the Department's revised acquisition strategy for the Littoral Combat Ship, solidified after the submission of the budget, has reduced the requested number of ships from a quantity of eight to a quantity of seven. In an effort to position the Department to request additional ship quantities in fiscal year 2011, the recommendation includes an additional $170,000,000 of advance procurement funding for the LHA (Replacement) helicopter assault ship and $250,000,000 of additional advance procurement funding for the DDG–51 Guided Missile Destroyer program.

COMMON HULL FORMS

The Navy has discussed in testimony the use of existing hull forms for the design of future ships in an effort to reduce the cost of these ships. Candidate ships include, but are not limited to the replacement command ship, future dock landing ships, future surface combatant, and hospital ships. Candidate hull forms include, but are not limited to, the LPD–17, T-AKE, National Security Cutter, Patrol Coastal and DDG–51 hull forms all currently in use. This initiative continues to have strong support and the Secretary of the Navy is directed to submit a report that outlines the benefits of using an existing hull form for future ship construction. The report should include candidate hull forms, candidate ship classes (including survivability requirements), potential cost savings (including under multiyear procurement authority), and the timeframe of when the decision would be made to use an existing hull form for future designs. This report should be submitted to the congressional defense committees not later than March 15th, 2010.

LITTORAL COMBAT SHIP (LCS)

The recommendation includes $1,080,000,000 for the construction of two Littoral Combat Ships (LCS), a reduction of $300,000,000 and one ship from the budget request. This adjustment properly prices the program and is consistent with the Navy's revised acquisition strategy for the LCS program which calls for down selecting to a single ship design in fiscal year 2010, versus the two designs that the program has been carrying. The recommendation supports this strategy which should result in reduced program costs as a result of reducing the overhead within the program. Further, the recommendation provides an additional $60,000,000 to the LCS research and development program for the development of a technical data package that will allow a future second source of the winning LCS design.

Additionally, in compliance with previous congressional direction, the Assistant Secretary of the Navy for Research, Development, and Acquisition (ASN (RDA)) provides the congressional defense committees a monthly progress report on LCS construction costs. Presently, these reports provide cost information only for the first two LCS platforms (LCS–1 and LCS–2). The ASN (RDA) is directed to provide the same monthly cost reports for LCS–3 and LCS–4 upon enactment of this Act.

LEASING OF FOREIGN BUILT SHIPS

There exists strong interest in the impact that the review of future requirements in the Quadrennial Defense Review will have on the Navy's practice of leasing foreign built ships. Therefore, the Secretary of the Navy is directed to update its March 2008 report on the use of such leases and address impacts on American seafarers, sealift capabilities, and naval shipbuilding.

DDG–51 GUIDED MISSILE DESTROYER

The recommendation includes $578,996,000, an increase of $250,000,000 above the budget request, for advance procurement of components for the two DDG–51 destroyers planned in fiscal year 2011. The recommendation fully supports re-start of the DDG–51 program and provides additional funding in an effort to re-start the program in a more efficient and cost effective manner.

OTHER PROCUREMENT, NAVY

For Other Procurement, Navy, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	OTHER PROCUREMENT, NAVY				
	SHIPS SUPPORT EQUIPMENT				
	SHIP PROPULSION EQUIPMENT				
1	LM-2500 GAS TURBINE	8,014	8,014	8,014	8,014
2	ALLISON 501K GAS TURBINE	9,162	9,162	9,162	9,162
3	OTHER PROPULSION EQUIPMENT	---	2,000	4,000	4,800
	NAVIGATION EQUIPMENT				
4	OTHER NAVIGATION EQUIPMENT	34,743	32,249	34,743	32,249
	PERISCOPES				
5	SUB PERISCOPES & IMAGING EQUIP	75,127	70,027	70,127	70,027
	OTHER SHIPBOARD EQUIPMENT				
6	DDG MOD	142,262	111,366	145,362	144,742
7	FIREFIGHTING EQUIPMENT	11,423	11,423	11,423	11,423
8	COMMAND AND CONTROL SWITCHBOARD	4,383	4,383	4,383	4,383
9	POLLUTION CONTROL EQUIPMENT	24,992	23,832	24,992	23,832
10	SUBMARINE SUPPORT EQUIPMENT	16,867	16,867	16,867	16,867
11	VIRGINIA CLASS SUPPORT EQUIPMENT	103,153	103,153	93,673	93,673
12	SUBMARINE BATTERIES	51,482	41,582	51,482	45,082
13	STRATEGIC PLATFORM SUPPORT EQUIP	15,672	12,372	15,672	12,372
14	DSSP EQUIPMENT	10,641	10,641	10,641	10,641
15	CG-MODERNIZATION	315,323	314,123	315,323	314,123
16	LCAC	6,642	6,642	6,642	6,642
18	UNDERWATER EOD PROGRAMS	19,232	16,182	19,232	19,232
19	ITEMS LESS THAN $5 MILLION	127,554	123,388	121,030	118,808
20	CHEMICAL WARFARE DETECTORS	8,899	8,899	8,899	8,899
21	SUBMARINE LIFE SUPPORT SYSTEM	14,721	14,721	14,721	14,721

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	REACTOR PLANT EQUIPMENT				
23	REACTOR COMPONENTS	262,354	262,354	262,354	262,354
	OCEAN ENGINEERING				
24	DIVING AND SALVAGE EQUIPMENT	5,304	5,304	5,304	5,304
	SMALL BOATS				
25	STANDARD BOATS	35,318	37,318	68,518	52,018
	TRAINING EQUIPMENT				
26	OTHER SHIPS TRAINING EQUIPMENT	15,113	13,507	15,113	13,507
	PRODUCTION FACILITIES EQUIPMENT				
27	OPERATING FORCES IPE	47,172	47,172	51,372	51,372
	OTHER SHIP SUPPORT				
28	NUCLEAR ALTERATIONS	136,683	136,683	136,683	136,683
29	LCS MODULES	137,259	92,204	52,926	117,259
30	LSD MIDLIFE	117,856	116,786	117,856	116,786
29	TOTAL, SHIPS SUPPORT EQUIPMENT	1,757,351	1,652,354	1,696,514	1,724,975
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	SHIP RADARS				
31	RADAR SUPPORT	9,968	13,968	9,968	13,168
	SHIP SONARS				
32	SPQ-9B RADAR	13,476	13,476	13,476	13,476
33	AN/SQQ-89 SURF ASW COMBAT SYSTEM	111,093	77,362	95,593	77,362
34	SSN ACOUSTICS	299,962	291,832	303,962	297,682
35	UNDERSEA WARFARE SUPPORT EQUIPMENT	38,705	30,548	38,705	30,548
36	SONAR SWITCHES AND TRANSDUCERS	13,537	11,894	13,537	11,894
	ASW ELECTRONIC EQUIPMENT				
37	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,681	22,681	12,881	13,481
38	SSTD	2,184	17,184	2,184	10,184
39	FIXED SURVEILLANCE SYSTEM	63,017	63,017	63,017	63,017
40	SURTASS	24,108	24,108	24,108	24,108
41	TACTICAL SUPPORT CENTER	22,464	22,464	22,464	22,464
	ELECTRONIC WARFARE EQUIPMENT				
42	AN/SLQ-32	34,264	31,267	34,264	31,267
	RECONNAISSANCE EQUIPMENT				
43	SHIPBOARD IW EXPLOIT	105,883	106,883	88,883	89,683
	SUBMARINE SURVEILLANCE EQUIPMENT				
44	SUBMARINE SUPPORT EQUIPMENT PROG	98,645	83,495	86,495	86,495
	OTHER SHIP ELECTRONIC EQUIPMENT				
46	COOPERATIVE ENGAGEMENT CAPABILITY	30,522	28,922	30,522	28,922
47	GCCS-M EQUIPMENT	13,594	13,594	13,594	13,594

(In thousands of dollars)

		Budget	House	Senate	Recommendation
48	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	35,933	35,933	35,933	35,933
49	ATDLS	7,314	7,314	4,314	4,314
50	MINESWEEPING SYSTEM REPLACEMENT	79,091	69,285	74,291	72,285
51	SHALLOW WATER MCM	7,835	7,835	7,835	7,835
52	NAVSTAR GPS RECEIVERS (SPACE)	10,845	7,965	10,845	7,965
53	ARMED FORCES RADIO AND TV	3,333	3,333	3,333	3,333
54	STRATEGIC PLATFORM SUPPORT EQUIP	4,149	4,149	4,149	4,149
	TRAINING EQUIPMENT				
55	OTHER TRAINING EQUIPMENT	36,784	35,654	36,784	35,654
	AVIATION ELECTRONIC EQUIPMENT				
56	MATCALS	17,468	12,168	17,468	14,768
57	SHIPBOARD AIR TRAFFIC CONTROL	7,970	7,970	7,970	7,970
58	AUTOMATIC CARRIER LANDING SYSTEM	18,878	17,878	18,878	17,878
59	NATIONAL AIR SPACE SYSTEM	28,988	28,988	28,988	28,988
60	AIR STATION SUPPORT EQUIPMENT	8,203	8,203	8,203	8,203
61	MICROWAVE LANDING SYSTEM	10,526	10,526	10,526	10,526
62	ID SYSTEMS	38,682	38,682	38,682	38,682
63	TAC A/C MISSION PLANNING SYS(TAMPS)	9,102	9,102	9,102	9,102
	OTHER SHORE ELECTRONIC EQUIPMENT				
64	DEPLOYABLE JOINT COMMAND AND CONT	8,719	11,719	8,719	11,119
65	TADIX-B	793	793	793	793
66	GCCS-M EQUIPMENT TACTICAL/MOBILE	11,820	11,820	11,820	11,820
67	COMMON IMAGERY GROUND SURFACE SYSTEMS	27,632	27,632	27,632	27,632
68	CANES	1,181	1,181	1,181	1,181
69	RADIAC	5,990	5,990	5,990	5,990
70	GPETE	3,737	3,737	3,737	3,737
71	INTEG COMBAT SYSTEM TEST FACILITY	4,423	4,423	4,423	4,423
72	EMI CONTROL INSTRUMENTATION	4,778	4,778	4,778	4,778
73	ITEMS LESS THAN $5 MILLION	65,760	57,706	68,760	60,106
	SHIPBOARD COMMUNICATIONS				
76	SHIP COMMUNICATIONS AUTOMATION	310,605	263,625	290,305	282,105
77	AN/URC-82 RADIO	4,913	4,913	4,913	4,913
78	COMMUNICATIONS ITEMS UNDER $5M	25,314	25,314	26,554	26,054

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	SUBMARINE COMMUNICATIONS				
79	SUBMARINE BROADCAST SUPPORT	105	105	105	105
80	SUBMARINE COMMUNICATION EQUIPMENT	48,729	48,729	48,729	48,729
	SATELLITE COMMUNICATIONS				
81	SATELLITE COMMUNICATIONS SYSTEMS	50,172	43,747	48,572	48,572
82	NAVY MULTIBAND TERMINAL (NMT)	72,496	72,496	63,196	63,196
	SHORE COMMUNICATIONS				
83	JCS COMMUNICATIONS EQUIPMENT	2,322	2,322	2,322	2,322
84	ELECTRICAL POWER SYSTEMS	1,293	1,293	1,293	1,293
85	NAVAL SHORE COMMUNICATIONS	2,542	2,542	2,542	2,542
	CRYPTOGRAPHIC EQUIPMENT				
86	INFO SYSTEMS SECURITY PROGRAM (ISSP)	119,054	116,754	110,554	110,554
	CRYPTOLOGIC EQUIPMENT				
87	CRYPTOLOGIC COMMUNICATIONS EQUIP	16,839	16,839	16,839	16,839
	OTHER ELECTRONIC SUPPORT				
88	COAST GUARD EQUIPMENT	18,892	18,892	18,892	18,892
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	2,035,313	1,905,030	1,943,603	1,892,625
	AVIATION SUPPORT EQUIPMENT				
	SONOBUOYS				
90	SONOBUOYS - ALL TYPES	91,976	89,976	91,976	89,976
	AIRCRAFT SUPPORT EQUIPMENT				
91	WEAPONS RANGE SUPPORT EQUIPMENT	75,329	72,829	92,329	88,929
92	EXPEDITIONARY AIRFIELDS	8,343	8,343	8,343	8,343
93	AIRCRAFT REARMING EQUIPMENT	12,850	12,850	12,850	12,850
94	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	48,670	44,849	46,849	39,806
95	METEOROLOGICAL EQUIPMENT	21,458	21,458	14,558	14,558
96	OTHER PHOTOGRAPHIC EQUIPMENT	1,582	1,582	1,582	1,582
97	AVIATION LIFE SUPPORT	27,367	29,867	32,367	30,367
98	AIRBORNE MINE COUNTERMEASURES	55,408	55,408	51,408	51,408
99	LAMPS MK III SHIPBOARD EQUIPMENT	23,694	23,694	23,694	23,694
100	PORTABLE ELECTRONIC MAINTENANCE AIDS	9,710	9,710	4,910	4,910
101	OTHER AVIATION SUPPORT EQUIPMENT	16,541	13,541	16,541	13,541
	TOTAL, AVIATION SUPPORT EQUIPMENT	392,928	384,107	397,407	379,964

(In thousands of dollars)

	Budget	House	Senate	Recommendation
ORDNANCE SUPPORT EQUIPMENT				
SHIP GUN SYSTEM EQUIPMENT				
102 NAVAL FIRES CONTROL SYSTEM	1,391	1,391	1,391	1,391
103 GUN FIRE CONTROL EQUIPMENT	7,891	7,891	7,891	7,891
SHIP MISSILE SYSTEMS EQUIPMENT				
104 NATO SEASPARROW	13,556	13,556	13,556	13,556
105 RAM GMLS	7,762	7,762	8,762	8,762
106 SHIP SELF DEFENSE SYSTEM	34,079	34,079	34,079	34,079
107 AEGIS SUPPORT EQUIPMENT	108,886	101,733	108,886	101,733
108 TOMAHAWK SUPPORT EQUIPMENT	88,475	88,475	88,475	88,475
109 VERTICAL LAUNCH SYSTEMS	5,513	5,513	5,513	5,513
FBM SUPPORT EQUIPMENT				
110 STRATEGIC MISSILE SYSTEMS EQUIP	155,579	155,579	155,579	155,579
ASW SUPPORT EQUIPMENT				
111 SSN COMBAT CONTROL SYSTEMS	118,528	113,563	118,528	113,563
112 SUBMARINE ASW SUPPORT EQUIPMENT	5,200	5,200	5,200	5,200
113 SURFACE ASW SUPPORT EQUIPMENT	13,646	13,646	13,646	13,646
114 ASW RANGE SUPPORT EQUIPMENT	7,256	7,256	7,256	7,256
OTHER ORDNANCE SUPPORT EQUIPMENT				
115 EXPLOSIVE ORDNANCE DISPOSAL EQUIP	54,069	54,069	54,069	54,069
116 ITEMS LESS THAN $5 MILLION	3,478	3,478	3,478	3,478
OTHER EXPENDABLE ORDNANCE				
117 ANTI-SHIP MISSILE DECOY SYSTEM	37,128	29,978	37,128	33,628
118 SURFACE TRAINING DEVICE MODS	7,430	7,430	7,430	7,430
119 SUBMARINE TRAINING DEVICE MODS	25,271	25,271	25,271	25,271
TOTAL, ORDNANCE SUPPORT EQUIPMENT	695,138	675,870	696,138	680,520
CIVIL ENGINEERING SUPPORT EQUIPMENT				
120 PASSENGER CARRYING VEHICLES	4,139	4,139	4,139	4,139
121 GENERAL PURPOSE TRUCKS	1,731	1,731	1,731	1,731
122 CONSTRUCTION & MAINTENANCE EQUIP	12,931	12,931	12,931	12,931
123 FIRE FIGHTING EQUIPMENT	12,976	12,976	12,976	12,976
124 TACTICAL VEHICLES	25,352	25,352	25,352	25,352
125 AMPHIBIOUS EQUIPMENT	2,950	2,950	2,950	2,950

(In thousands of dollars)

	Budget	House	Senate	Recommendation
126 POLLUTION CONTROL EQUIPMENT	5,097	5,097	5,097	5,097
127 ITEMS UNDER $5 MILLION	23,787	23,787	23,787	23,787
128 PHYSICAL SECURITY VEHICLES	1,115	1,115	1,115	1,115
TOTAL, CIVIL ENGINEERING SUPPORT EQUIPMENT	90,078	90,078	90,078	90,078
SUPPLY SUPPORT EQUIPMENT				
SUPPLY SUPPORT EQUIPMENT				
129 MATERIALS HANDLING EQUIPMENT	17,153	17,153	17,153	17,153
130 OTHER SUPPLY SUPPORT EQUIPMENT	6,368	6,368	10,368	9,568
131 FIRST DESTINATION TRANSPORTATION	6,217	6,217	6,217	6,217
132 SPECIAL PURPOSE SUPPLY SYSTEMS	71,597	71,597	71,597	71,597
TOTAL, SUPPLY SUPPORT EQUIPMENT	101,335	101,335	105,335	104,535
PERSONNEL AND COMMAND SUPPORT EQUIPMENT				
TRAINING DEVICES				
133 TRAINING SUPPORT EQUIPMENT	12,944	11,728	12,944	11,728
COMMAND SUPPORT EQUIPMENT				
134 COMMAND SUPPORT EQUIPMENT	55,267	51,682	52,267	48,682
135 EDUCATION SUPPORT EQUIPMENT	2,084	2,084	2,084	2,084
136 MEDICAL SUPPORT EQUIPMENT	5,517	2,092	5,517	5,517
137 NAVAL MIP SUPPORT EQUIPMENT	1,537	1,537	1,537	1,537
139 OPERATING FORCES SUPPORT EQUIPMENT	12,250	12,250	12,250	12,250
140 C4ISR EQUIPMENT	5,324	5,324	5,324	5,324
141 ENVIRONMENTAL SUPPORT EQUIPMENT	18,183	18,183	16,488	16,488
142 PHYSICAL SECURITY EQUIPMENT	128,921	126,921	128,921	126,921
143 ENTERPRISE INFORMATION TECHNOLOGY	79,747	87,247	65,747	70,747
TOTAL, PERSONNEL AND COMMAND SUPPORT EQUIPMENT	321,774	319,048	303,079	301,278
145 SPARES AND REPAIR PARTS	247,796	247,796	247,796	247,796
999 CLASSIFIED PROGRAMS	19,463	19,463	19,463	19,463
TOTAL, OTHER PROCUREMENT, NAVY	5,661,176	5,395,081	5,499,413	5,441,234

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
3	OTHER PROPULSION EQUIPMENT	0	2,000	4,000	4,800
	LSD-41/49 Diesel Engine Low Load Upgrade Kit		2,000		1,600
	LCS-1 Waterjet Spares			4,000	3,200
4	OTHER NAVIGATION EQUIPMENT	34,743	32,249	34,743	32,249
	ECDIS-N units ahead of need		-1,494		-1,494
	Support funding carryover		-1,000		-1,000
5	SUB PERISCOPES & IMAGING EQUIP	75,127	70,027	70,127	70,027
	Digital periscope contract delay		-5,100		-5,100
	ISNS contract delay			-5,000	
6	DDG MOD	142,262	111,366	145,362	144,742
	Modernization equipment ahead of need		-30,896		
	Smart Valve Automatic Fire Suppression System			3,100	2,480
9	POLLUTION CONTROL EQUIPMENT	24,992	23,832	24,992	23,832
	R-114 air conditioning units ahead of need		-1,160		-1,160
11	VIRGINIA CLASS SUPPORT EQUIPMENT	103,153	103,153	93,673	93,673
	HM&E/NPES tech refresh contract delay			-9,480	-9,480
12	SUBMARINE BATTERIES	51,482	41,582	51,482	45,082
	688 class installation funding ahead of need		-4,900		-4,900
	Ohio class installation funding ahead of need		-3,500		
	Support funding carryover		-1,500		-1,500
13	STRATEGIC PLATFORM SUPPORT EQUIP	15,672	12,372	15,672	12,372
	Incremental funding of SSTG rotors		-3,300		-3,300
15	CG-MODERNIZATION	315,323	314,123	315,323	314,123
	Properly price SPQ-9B radar equipment		-1,200		-1,200
18	UNDERWATER EOD PROGRAMS	19,232	16,182	19,232	19,232
	UUV, diver safety, and life support equipment cost growth		-3,050		
19	ITEMS LESS THAN $5 MILLION	127,554	123,388	121,030	118,808
	FFG-7 class diesel cost growth		-494		-494
	CVN Smartship modification cost growth		-1,369		-1,369
	CVN auto voltage regulators ahead of need		-3,600		-3,600
	AS-39 elevator upgrade ahead of need		-703		-703
	Secure Remote Monitoring Systems		2,000		1,600
	Canned Lube Pumps LHD-1 Class			1,000	800
	Remote Monitoring and Troubleshooting Project			2,900	2,320
	Auto voltage regulator reduction to growth			-3,124	
	LPD-17 Forcenet installation ahead of need			-3,800	-3,800
	Machinery Plant Upgrades installation ahead of need			-3,500	-3,500
25	STANDARD BOATS	35,318	37,318	68,518	52,018
	Force Protection Boats (Small)		2,000	2,000	2,000
	Range support craft recapitalization			25,000	8,500
	Dive Boats			2,000	2,000
	Fuel Oil Barge (YON)			4,200	4,200

P-1		Budget Request	House	Senate	Recommendation
26	OTHER SHIPS TRAINING EQUIPMENT	15,113	13,507	15,113	13,507
	Virginia class submarine air conditioner trainer cost growth		-1,606		-1,606
27	OPERATING FORCES IPE	47,172	47,172	51,372	51,372
	Pearl Harbor Naval Shipyard Equipment Modernization			4,200	4,200
29	LCS MODULES	137,259	92,204	52,926	117,259
	Mission Package Integration funding		-17,955		-12,000
	Align Mission Package procurement with LCS schedule		-27,100		
	Defer MCM Mission Package			-76,333	
	RMS transfer to RDTE, Navy line number 32			-8,000	-8,000
30	LSD MIDLIFE	117,856	116,786	117,856	116,786
	30 ton deck crane ahead of need		-1,070		-1,070
31	RADAR SUPPORT	9,968	13,968	9,968	13,168
	Enhanced Detection Adjunct Processor		4,000		3,200
33	AN/SQQ-89 SURF ASW COMBAT SYSTEM	111,093	77,362	95,593	77,362
	SQQ-89 backfit suites ahead of need		-23,250		-23,250
	SQQ-89 backfit suites cost growth		-1,230		-1,230
	SQQ-89 IPS suites ahead of need		-7,751		-7,751
	Support funding carryover		-1,500		-1,500
	Contract delay			-15,500	
34	SSN ACOUSTICS	299,962	291,832	303,962	297,682
	TB-33 fiber optic array receivers cost growth		-1,850		
	BQS-15A EC-20 processor cost growth		-1,590		-1,590
	Phase III/IV technology insertion upgrade cost growth		-1,590		-1,590
	Support funding carryover		-3,100		-3,100
	TB-33 Thinline Towed Array			4,000	4,000
35	UNDERSEA WARFARE SUPPORT EQUIPMENT	38,705	30,548	38,705	30,548
	CVN tactical support center modifications ahead of need		-8,157		-8,157
36	SONAR SWITCHES AND TRANSDUCERS	13,537	11,894	13,537	11,894
	DT-699A and DT-592 component cost growth		-1,643		-1,643
37	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,681	22,681	12,881	13,481
	Hydroacoustic Low Frequency Source Generation Systems		2,000	1,000	1,600
	Contract delays			-8,800	-8,800
38	SSTD	2,184	17,184	2,184	10,184
	Program Increase		15,000		8,000
42	AN/SLQ-32	34,264	31,267	34,264	31,267
	Support funding growth		-1,500		-1,500
	Block 1B2 specific emitter identification systems ahead of need		-1,497		-1,497
43	SHIPBOARD IW EXPLOIT	105,883	106,883	88,883	89,683
	AN/USQ-167 COMSEC Upgrade		1,000		800
	SSEE Inc F slow production ramp			-16,000	-16,000
	AIS funding carryover			-1,000	-1,000

P-1		Budget Request	House	Senate	Recommendation
44	SUBMARINE SUPPORT EQUIPMENT PROG	98,645	83,495	86,495	86,495
	Multi-function Modular Mast units ahead of need		-15,150		
	Multi-function Modular Mast contract delay			-15,150	-15,150
	AN/BLQ-10A(V) Wideband Signal Processor			3,000	3,000
46	COOPERATIVE ENGAGEMENT CAPABILITY	30,522	28,922	30,522	28,922
	Support funding carryover		-1,600		-1,600
49	ATDLS	7,314	7,314	4,314	4,314
	Installation delays			-3,000	-3,000
50	MINESWEEPING SYSTEM REPLACEMENT	79,091	69,285	74,291	72,285
	Magnetic silencing facility upgrades support funding growth		-5,000		-2,000
	Remote minehunting system upgrades		-4,806		-4,806
	RMS restructure			-4,800	
52	NAVSTAR GPS RECEIVERS (SPACE)	10,845	7,965	10,845	7,965
	Anti-jam antennas ahead of need		-2,880		-2,880
55	OTHER TRAINING EQUIPMENT	36,784	35,654	36,784	35,654
	Battle force tactical training and encryptor systems ahead of need		-1,130		-1,130
56	MATCALS	17,468	12,168	17,468	14,768
	Air Surveillance and Precision Approach Radar cost growth		-5,300		-2,700
58	AUTOMATIC CARRIER LANDING SYSTEM	18,878	17,878	18,878	17,878
	AN/URN-25 TACAN upgrade cost growth		-1,000		-1,000
64	DEPLOYABLE JOINT COMMAND AND CONTROL	8,719	11,719	8,719	11,119
	Deployable Joint Command and Control Shelter Upgrade Program		3,000		2,400
73	ITEMS LESS THAN $5 MILLION	65,760	57,706	68,760	60,106
	AN/APA reliability kits ahead of need		-6,054		-6,054
	Radar support growth		-2,000		-2,000
	Radar Product Support System			3,000	2,400
76	SHIP COMMUNICATIONS AUTOMATION	310,605	263,625	290,305	282,105
	Shipboard network systems ahead of need		-20,300		
	SCI network modifications ahead of need		-6,200		-6,200
	Digital network modifications ahead of need		-18,480		
	Network operations center modifications ahead of need		-2,000		-2,000
	ISNS Afloat early to need			-20,300	-20,300
78	COMMUNICATIONS ITEMS UNDER $5M	25,314	25,314	26,554	26,054
	HF ALE contract delay			-1,260	-1,260
	Intelligraf Training and Maintenance Aid for Above Water Sensors			2,500	2,000
81	SATELLITE COMMUNICATIONS SYSTEMS	50,172	43,747	48,572	48,572
	SUBHDR SHF modification kits ahead of need		-2,025		
	Broadband satellite network modifications ahead of need		-4,400		
	CBSP installation delays			-1,600	-1,600
82	NAVY MULTIBAND TERMINAL (NMT)	72,496	72,496	63,196	63,196
	NMT Ship ahead of need			-9,300	-9,300

P-1		Budget Request	House	Senate	Recommendation
86	INFO SYSTEMS SECURITY PROGRAM (ISSP)	119,054	116,754	110,554	110,554
	Computer network defense systems ahead of need		-2,300		
	CND program delay			-4,000	-4,000
	KMI ahead of need			-4,500	-4,500
90	SONOBUOYS - ALL TYPES	91,976	89,976	91,976	89,976
	Production engineering carryover		-2,000		-2,000
91	WEAPONS RANGE SUPPORT EQUIPMENT	75,329	72,829	92,329	88,929
	Production engineering carryover		-2,500		-1,000
	Range Support Enhancements			15,000	13,000
	Hawaiian Range Complex			2,000	1,600
94	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	48,670	44,849	46,849	39,806
	ADMACS Block II upgrade cost growth		-1,821		
	Production engineering carryover		-2,000		-2,000
	ADMACS Block 2 program delay			-1,821	-6,864
95	METEOROLOGICAL EQUIPMENT	21,458	21,458	14,558	14,558
	Defer METMF LRIP			-6,900	-6,900
97	AVIATION LIFE SUPPORT	27,367	29,867	32,367	30,367
	Multi-Climate Protection System		2,500	8,000	6,400
	Advanced Mission Extender Device Kits			2,000	1,600
	JHMCS Night Vision contract delay			-5,000	-5,000
98	AIRBORNE MINE COUNTERMEASURES	55,408	55,408	51,408	51,408
	AMNS funding carryover			-4,000	-4,000
100	PORTABLE ELECTRONIC MAINTENANCE AIDS	9,710	9,710	4,910	4,910
	Reduction to growth			-4,800	-4,800
101	OTHER AVIATION SUPPORT EQUIPMENT	16,541	13,541	16,541	13,541
	Program growth		-3,000		-3,000
105	RAM GMLS	7,762	7,762	8,762	8,762
	RAM Mark 49 Mod 3 Launcher Oblescence/Affordability			1,000	1,000
107	AEGIS SUPPORT EQUIPMENT	108,886	101,733	108,886	101,733
	Smartship modifications ahead of need		-8,153		-8,153
	Adaptive Diagnostic Electronic Portable Testset		1,000		1,000
111	SSN COMBAT CONTROL SYSTEMS	118,528	113,563	118,528	113,563
	SSN 688 class technology insertion upgrade cost growth		-4,965		-4,965
117	ANTI-SHIP MISSILE DECOY SYSTEM	37,128	29,978	37,128	33,628
	Nulka decoy cost growth		-7,150		-3,500
130	OTHER SUPPLY SUPPORT EQUIPMENT	6,368	6,368	10,368	9,568
	Navy AIT Logistics Modernization			4,000	3,200
133	TRAINING SUPPORT EQUIPMENT	12,944	11,728	12,944	11,728
	Continuing training environment equipment cost growth		-1,216		-1,216
134	COMMAND SUPPORT EQUIPMENT	55,267	51,682	52,267	48,682
	MH/MOC upgrades cost growth		-3,585		-3,585
	National Small Unit Center of Excellence			-3,000	-3,000

P-1	Budget Request	House	Senate	Recommendation
136 MEDICAL SUPPORT EQUIPMENT	**5,517**	**2,092**	**5,517**	**5,517**
Commercial broadband satellite program		-3,425		
141 ENVIRONMENTAL SUPPORT EQUIPMENT	**18,183**	**18,183**	**16,488**	**16,488**
Wx Detection Display and Shallow Water Sesmic System ahead of need			-1,695	-1,695
142 PHYSICAL SECURITY EQUIPMENT	**128,921**	**126,921**	**128,921**	**126,921**
Maritime Civil Affairs Group Activities growth		-2,000		-2,000
143 ENTERPRISE INFORMATION TECHNOLOGY	**79,747**	**87,247**	**65,747**	**70,747**
SPAWAR Systems Center (SSC/ITC) New Orleans		7,500	1,000	6,000
Base Level Information Infrastructure contract delay			-15,000	-15,000

SHIP SERVICE TURBINE GENERATOR ROTORS

The budget request includes $3,330,000 for an Ohio-class submarine Ship's Service Turbine Generator (SSTG) rotor. The recommendation provides no funds for the rotor because the procurement does not result in a usable end item in violation of the full funding policy. The Secretary of the Navy is urged to submit a fiscal year 2010 reprogramming request that fully funds the SSTG rotor in order to support the planned installation schedule.

WEAPONS RANGE SUPPORT EQUIPMENT

Due to carryover of production engineering funding in.the weapons range support equipment program, the recommendation reduces the program by $1,000,000. This reduction is to be applied only against the fiscal year 2010 production engineering funding and shall not reduce funds available for completion of auxiliary systems in support of Magnetic Silencing Facility military construction.

PROCUREMENT, MARINE CORPS

For Procurement, Marine Corps, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	PROCUREMENT, MARINE CORPS				
	WEAPONS AND COMBAT VEHICLES				
	TRACKED COMBAT VEHICLES				
1	AAV7A1 PIP	9,127	9,127	6,154	6,154
2	LAV PIP	34,969	34,969	34,969	34,969
	ARTILLERY AND OTHER WEAPONS				
5	EXPEDITIONARY FIRE SUPPORT SYSTEM	19,591	19,591	19,591	19,591
6	155MM LIGHTWEIGHT TOWED HOWITZER	7,420	---	7,420	7,420
7	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	71,476	71,476	71,476	71,476
8	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	25,949	25,949	16,158	16,158
	WEAPONS				
	OTHER SUPPORT				
10	MODIFICATION KITS	33,990	34,990	33,990	34,790
11	WEAPONS ENHANCEMENT PROGRAM	22,238	22,238	22,238	22,238
	TOTAL, WEAPONS AND COMBAT VEHICLES	224,760	218,340	211,996	212,796
	GUIDED MISSILES AND EQUIPMENT				
	GUIDED MISSILES				
12	GROUND BASED AIR DEFENSE	11,387	11,387	11,387	11,387
14	FOLLOW ON TO SMAW	25,333	25,333	---	---
15	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	71,225	71,225	71,225	71,225
	OTHER SUPPORT				
16	MODIFICATION KITS	2,114	2,114	2,114	2,114
	TOTAL, GUIDED MISSILES AND EQUIPMENT	110,059	110,059	84,726	84,726

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	COMMAND AND CONTROL SYSTEMS				
17	COMBAT OPERATIONS CENTER	19,832	19,832	19,832	19,832
	REPAIR AND TEST EQUIPMENT				
18	REPAIR AND TEST EQUIPMENT	31,087	32,587	31,087	32,287
	OTHER SUPPORT (TEL)				
19	COMBAT SUPPORT SYSTEM	11,368	11,368	11,368	11,368
21	ITEMS UNDER $5 MILLION (COMM & ELEC)	3,531	3,531	3,531	3,531
22	AIR OPERATIONS C2 SYSTEMS	45,084	45,084	45,084	45,084
	RADAR + EQUIPMENT (NON-TEL)				
23	RADAR SYSTEMS	7,428	7,428	7,428	7,428
	INTELL/COMM EQUIPMENT (NON-TEL)				
24	FIRE SUPPORT SYSTEM	2,580	2,580	2,580	2,580
25	INTELLIGENCE SUPPORT EQUIPMENT	37,581	37,581	33,270	33,270
26	RQ-11 UAV	42,403	42,403	28,580	28,580
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)				
27	NIGHT VISION EQUIPMENT	10,360	10,360	10,360	10,360
	OTHER SUPPORT (NON-TEL)				
28	COMMON COMPUTER RESOURCES	115,263	115,263	115,263	115,263
29	COMMAND POST SYSTEMS	49,820	49,820	49,820	49,820
30	RADIO SYSTEMS	61,954	49,090	61,954	49,090
31	COMM SWITCHING & CONTROL SYSTEMS	98,254	92,254	98,254	92,254
32	COMM & ELEC INFRASTRUCTURE SUPPORT	15,531	15,531	15,531	15,531
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	552,076	534,712	533,942	516,278

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	SUPPORT VEHICLES				
	ADMINISTRATIVE VEHICLES				
33	COMMERCIAL PASSENGER VEHICLES	1,265	1,265	1,265	1,265
34	COMMERCIAL CARGO VEHICLES	13,610	13,610	13,610	13,610
	TACTICAL VEHICLES				
35	5/4T TRUCK HMMWV (MYP)	9,796	9,796	9,796	9,796
36	MOTOR TRANSPORT MODIFICATIONS	6,111	---	6,111	3,000
37	MEDIUM TACTICAL VEHICLE REPLACEMENT	10,792	10,792	10,792	10,792
38	LOGISTICS VEHICLE SYSTEM REP	217,390	220,390	217,390	217,390
39	FAMILY OF TACTICAL TRAILERS	26,497	26,497	19,070	21,470
40	TRAILERS	18,122	18,122	18,122	18,122
	OTHER SUPPORT				
41	ITEMS LESS THAN $5 MILLION	5,948	5,948	5,948	5,948
	TOTAL, SUPPORT VEHICLES	309,531	306,420	302,104	301,393
	ENGINEER AND OTHER EQUIPMENT				
	ENGINEER AND OTHER EQUIPMENT				
42	ENVIRONMENTAL CONTROL EQUIP ASSORT	5,121	5,121	5,121	5,121
43	BULK LIQUID EQUIPMENT	13,035	13,035	16,135	16,135
44	TACTICAL FUEL SYSTEMS	35,059	35,059	35,059	35,059
45	POWER EQUIPMENT ASSORTED	21,033	21,033	31,033	30,033
46	AMPHIBIOUS SUPPORT EQUIPMENT	39,876	28,876	39,876	28,876
47	EOD SYSTEMS	93,335	93,335	93,335	93,335
	MATERIALS HANDLING EQUIPMENT				
48	PHYSICAL SECURITY EQUIPMENT	12,169	13,169	12,169	13,169
49	GARRISON MOBILE ENGR EQUIP	11,825	11,825	11,825	11,825
50	MATERIAL HANDLING EQUIP	41,430	41,430	41,430	41,430
51	FIRST DESTINATION TRANSPORTATION	5,301	5,301	5,301	5,301

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	GENERAL PROPERTY				
52	FIELD MEDICAL EQUIPMENT	6,811	6,811	6,811	6,811
53	TRAINING DEVICES	14,854	14,854	14,854	14,854
54	CONTAINER FAMILY	3,770	3,770	3,770	3,770
55	FAMILY OF CONSTRUCTION EQUIPMENT	37,735	37,735	37,735	37,735
56	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	10,360	10,360	10,360	10,360
58	RAPID DEPLOYABLE KITCHEN	2,159	2,159	2,159	2,159
	OTHER SUPPORT				
59	ITEMS LESS THAN $5 MILLION	8,792	8,792	8,792	8,792
	TOTAL, ENGINEER AND OTHER EQUIPMENT	362,665	352,665	375,765	364,765
60	SPARES AND REPAIR PARTS	41,547	41,547	41,547	41,547
	TOTAL, PROCUREMENT, MARINE CORPS	1,600,638	1,563,743	1,550,080	1,521,505

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
1	AAV7A1 PIP	9,127	9,127	6,154	6,154
	Survivability, C4I and Environment upgrade - funding ahead of need			-2,973	-2,973
6	155MM LIGHTWEIGHT TOWED HOWITZER	7,420	0	7,420	7,420
	Items previously purchased in the fiscal year 2009 supplemental		-7,420		0
8	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	25,949	25,949	16,158	16,158
	Multiple Shot Grenade Launcher contract award delays			-9,791	-9,791
10	MODIFICATION KITS	33,990	34,990	33,990	34,790
	Microclimate Cooling Unit for M1 Abrams Tank		1,000		800
14	FOLLOW ON TO SMAW	25,333	25,333	0	0
	Funding ahead of need			-25,333	-25,333
18	REPAIR AND TEST EQUIPMENT	31,087	32,587	31,087	32,287
	Portable Military Radio Communications Test Set		1,500		1,200
25	INTELLIGENCE SUPPORT EQUIPMENT	37,581	37,581	33,270	33,270
	Wide Field of View Persistent Surveillance - requirement suspended			-4,311	-4,311
26	RQ-11 UAV	42,403	42,403	28,580	28,580
	Tier II UAS procurement funding ahead of need			-13,823	-13,823
30	RADIO SYSTEMS	61,954	49,090	61,954	49,090
	Unjustified miscellaneous funding requirements		-12,864		-12,864
31	COMM SWITCHING & CONTROL SYSTEMS	98,254	92,254	98,254	92,254
	Items previously purchased in the fiscal year 2009 supplemental		-6,000		-6,000
36	MOTOR TRANSPORT MODIFICATIONS	6,111	0	6,111	3,000
	Items previously purchased in the fiscal year 2009 supplemental		-6,111		-3,111
38	LOGISTICS VEHICLE SYSTEM REPLACEMENT	217,390	220,390	217,390	217,390
	Marine Corps MK 1077 Flatracks (Transferred to line number 39)		3,000		0
39	FAMILY OF TACTICAL TRAILERS	26,497	26,497	19,070	21,470
	Flat Rack Refueling capability - production delays			-7,427	-7,427
	Marine Corps MK 1077 Flatracks (Transferred from line number 38)				2,400
43	BULK LIQUID EQUIPMENT	13,035	13,035	16,135	16,135
	Nitrile Rubber Collapsible Fuel Bladders			3,100	3,100
45	POWER EQUIPMENT ASSORTED	21,033	21,033	31,033	30,033
	On Board Vehicle Power Kits for USMC MTVR Trucks			10,000	9,000

P-1	Budget Request	House	Senate	Recommendation
46 AMPHIBIOUS SUPPORT EQUIPMENT	39,876	28,876	39,876	28,876
Items previously purchased in the fiscal year 2009 supplemental		-11,000		-11,000
48 PHYSICAL SECURITY EQUIPMENT	12,169	13,169	12,169	13,169
Portable Armored Wall System		1,000		1,000

AIRCRAFT PROCUREMENT, AIR FORCE

For Aircraft Procurement, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	AIRCRAFT PROCUREMENT, AIR FORCE				
	COMBAT AIRCRAFT				
	TACTICAL FORCES				
1	F-35	2,048,830	2,067,430	2,048,830	2,083,830
2	F-35 (AP-CY)	300,600	278,600	278,600	278,600
3	F-22A	95,163	31,163	95,163	95,163
4	F-22A (AP-CY)	---	368,800	---	---
	TOTAL, COMBAT AIRCRAFT	2,444,593	2,745,993	2,422,593	2,457,593
	AIRLIFT AIRCRAFT				
	TACTICAL AIRLIFT				
5	C-17A (MYP)	88,510	762,610	2,588,510	2,588,510
	OTHER AIRLIFT				
6	C-130J	285,632	285,632	285,632	285,632
7	C-130J ADVANCE PROCUREMENT (CY)	108,000	108,000	108,000	108,000
8	HC/MC-130 RECAP	879,231	375,231	375,231	375,231
9	HC/MC-130 RECAP (AP-CY)	137,360	137,360	137,360	137,360
10	JOINT CARGO AIRCRAFT	319,050	319,050	319,050	319,050
	TOTAL, AIRLIFT AIRCRAFT	1,817,783	1,987,883	3,813,783	3,813,783
	TRAINER AIRCRAFT				
11	USAFA POWERED FLIGHT PROGRAM	4,144	4,144	4,144	4,144
	OPERATIONAL TRAINERS				
12	JPATS	15,711	15,711	15,711	15,711
	OTHER AIRCRAFT				
	HELICOPTERS				
13	V-22 OSPREY	437,272	437,272	437,272	437,272
14	V-22 OSPREY (AP-CY)	13,835	13,835	13,835	13,835
14A	HH-60M	---	140,000	75,000	95,200
	MISSION SUPPORT AIRCRAFT				
21	C-37	66,400	199,200	66,400	66,400
17	C-40	154,044	354,044	154,044	154,044
18	CIVIL AIR PATROL A/C	2,426	7,426	2,426	6,426

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	OTHER AIRCRAFT				
20	TARGET DRONES	78,511	78,511	74,711	74,711
22	GLOBAL HAWK	554,775	275,118	554,775	554,775
23	GLOBAL HAWK (AP-CY)	113,049	63,049	113,049	113,049
25	MQ-9	489,469	489,469	489,469	489,469
23	TOTAL, OTHER AIRCRAFT	1,909,781	2,057,924	1,980,981	2,005,181
	MODIFICATION OF INSERVICE AIRCRAFT				
	STRATEGIC AIRCRAFT				
26	B-2A	283,955	264,155	247,855	247,855
28	B-1B	107,558	78,558	78,558	78,558
29	B-52	78,788	61,466	61,466	61,466
	TACTICAL AIRCRAFT				
30	A-10	252,488	252,488	252,488	252,488
31	F-15	92,921	132,271	92,921	119,171
32	F-16	224,642	221,875	223,875	223,475
33	F-22A	350,735	187,295	177,335	177,335
	AIRLIFT AIRCRAFT				
34	C-5	606,993	550,414	561,893	561,893
35	C-5 (AP-CY)	108,300	108,300	108,300	108,300
36	C-9C	10	10	10	10
37	C-17A	469,731	317,174	424,431	352,331
38	C-21	562	562	562	562
39	C-32A	10,644	10,644	1,744	1,744
40	C-37A	4,336	4,336	436	436
	TRAINER AIRCRAFT				
41	GLIDER MODS	119	119	119	119
42	T6	33,074	33,074	33,074	33,074
43	T-1	35	35	35	35
44	T-38	75,274	61,057	61,057	61,057
	OTHER AIRCRAFT				
46	KC-10A (ATCA)	9,441	9,441	9,441	9,441
47	C-12	472	472	472	472
48	MC-12W	63,000	63,000	63,000	63,000
49	C-20 MODS	734	734	734	734
50	VC-25A MOD	15,610	15,610	15,610	15,610
51	C-40	9,162	9,162	262	262

(In thousands of dollars)

		Budget	House	Senate	Recommendation
52	C-130	354,421	99,965	146,171	181,675
53	C130J MODS	13,627	13,627	8,527	8,527
54	C-135	150,425	119,725	150,425	131,625
55	COMPASS CALL MODS	29,187	29,187	29,187	29,187
56	DARP	107,859	54,810	107,859	107,859
57	E-3	79,263	79,263	79,263	79,263
58	E-4	73,058	73,058	73,058	73,058
59	E-8	225,973	225,973	21,073	75,073
60	H-1	18,280	18,280	18,280	18,280
61	H-60	14,201	115,401	14,201	64,201
62	GLOBAL HAWK MODS	134,864	134,864	134,864	134,864
63	HC/MC-130 MODIFICATIONS	1,964	1,964	1,964	1,964
64	OTHER AIRCRAFT	103,274	103,274	103,274	103,274
65	MQ-1 MODS	123,889	144,889	123,889	123,889
66	MQ-9 MODS	48,837	54,037	48,837	48,837
67	CV-22 MODS	24,429	24,429	24,429	24,429
	OTHER MODIFICATIONS				
	TOTAL, MODIFICATION OF INSERVICE AIRCRAFT	4,302,135	3,674,998	3,500,979	3,575,433
	AIRCRAFT SPARES AND REPAIR PARTS				
68	INITIAL SPARES/REPAIR PARTS	418,604	487,604	418,604	456,604
	TOTAL, AIRCRAFT SPARES AND REPAIR PARTS	418,604	487,604	418,604	456,604
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES				
	COMMON SUPPORT EQUIPMENT				
69	AIRCRAFT REPLACEMENT SUPPORT EQUIP	105,820	105,820	115,820	106,820
	POST PRODUCTION SUPPORT				
70	B-1	3,929	3,929	3,929	3,929
72	B-2A	24,481	24,481	24,481	24,481
73	C-5	2,259	2,259	2,259	2,259
74	C-5	11,787	11,787	11,787	7,787
75	KC-10A (ATCA)	4,125	4,125	4,125	4,125
76	C-17A	91,400	---	---	---
77	C-130	28,092	28,092	28,092	28,092
78	EC-130J	5,283	5,283	5,283	5,283
78A	B-2 POST PRODUCTION	---	19,800	19,800	19,800

(In thousands of dollars)

		Budget	House	Senate	Recommendation
79	F-15 POST PRODUCTION SUPPORT	15,744	15,744	15,744	15,744
80	F-16 POST PRODUCTION SUPPORT	19,951	19,951	12,951	12,951
81	OTHER AIRCRAFT	51,980	51,980	51,980	51,980
	INDUSTRIAL PREPAREDNESS				
83	INDUSTRIAL PREPAREDNESS	25,529	25,529	25,529	25,529
	WAR CONSUMABLES				
84	WAR CONSUMABLES	134,427	134,427	136,427	136,027
	OTHER PRODUCTION CHARGES				
85	OTHER PRODUCTION CHARGES	490,344	490,344	495,344	483,844
	DARP				
88	DARP	15,323	15,323	15,323	15,323
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES	1,030,474	958,874	968,874	943,974
999	CLASSIFIED PROGRAMS	23,051	23,051	23,051	23,051
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	11,966,276	11,956,182	13,148,720	13,295,474

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
1	F-35	2,048,830	2,067,430	2,048,830	2,083,830
	Reduction to non-recurring engineering		-111,400		0
	Alternate Engine		130,000		35,000
2	F-35 (AP-CY)	300,600	278,600	278,600	278,600
	Reduction of two aircraft previously funded in fiscal year 2009		-22,000	-22,000	-22,000
3	F-22A	95,163	31,163	95,163	95,163
	Program reduction		-64,000		0
4	F-22A (AP-CY)	0	368,800	0	0
	Advance Procurement for 12 aircraft		368,800		0
5	C-17A (MYP)	88,510	762,610	2,588,510	2,588,510
	Program Increase - Provides for 10 C-17A aircraft		674,100	2,500,000	2,500,000
8	HC/MC-130 RECAP	879,231	375,231	375,231	375,231
	Funded in fiscal year 2009 supplemental		-504,000	-504,000	-504,000
XX	HH-60M		140,000	75,000	95,200
	Program Increase - Provides for four HH-60M aircraft for combat loss replacement		140,000	75,000	95,200
21	C-37	66,400	199,200	66,400	66,400
	Program Increase - C-37B (Note: One aircraft each for the 201st Airlift Squadron and 89th Airlift Wing)		132,800		0
17	C-40	154,044	354,044	154,044	154,044
	Program Increase - Two C-40C for Scott Air Force Base		200,000		0
18	CIVIL AIR PATROL A/C	2,426	7,426	2,426	6,426
	Civil Air Patrol		5,000		4,000
20	TARGET DRONES	78,511	78,511	74,711	74,711
	Pricing adjustment			-3,800	-3,800
22	GLOBAL HAWK	554,775	275,118	554,775	554,775
	Block 40 Program Delay		-279,657		0
23	GLOBAL HAWK (AP-CY)	113,049	63,049	113,049	113,049
	Unjustified program growth		-50,000		0
26	B-2A	283,955	264,155	247,855	247,855
	Air Force requested transfer to line number 78A B-2 Post Production Support for the B-2 Weapon System Support Center		-19,800	-19,800	-19,800
	Funding requested ahead of need			-16,300	-16,300
28	B-1B	107,558	78,558	78,558	78,558
	Program delay for various programs - Funding transferred to RDT&E, Air Force Line number 119		-29,000	-29,000	-29,000

P-1		Budget Request	House	Senate	Recommendation
29	B-52	78,788	61,466	61,466	61,466
	Air Force identified excess		-17,322	-17,322	-17,322
31	F-15	92,921	132,271	92,921	119,171
	Funding installs ahead of need - Digital Video Recorder Installs		-3,250		-3,250
	Program growth - Low Cost Mods for Other Government Costs		-1,000		-500
	Program Increase - Advanced Radar Development for Active and ANG aircraft		43,600		30,000
32	F-16	224,642	221,875	223,875	223,475
	Funding ahead of need - BLOS Installs		-2,767	-2,767	-2,767
	ARC 210 Radios for ANG F-16s			2,000	1,600
33	F-22A	350,735	187,295	177,335	177,335
	Common Configuration - Early to need		-158,399	-158,400	-158,400
	Warfighter Urgent Requirements		-5,041		
	Insufficient justification			-15,000	-15,000
34	C-5	606,993	550,414	561,893	561,893
	Unjustified program		-56,579	-28,000	-28,000
	Excessive Other Government costs			-10,000	-10,000
	Excess in C-5 AMP program			-7,100	-7,100
37	C-17A	469,731	317,174	424,431	352,331
	Reduction for Other Government Costs - LAIRCM		-4,023		0
	Excess install funding for Pylon Stubs		-800		0
	Funding prior to installs ELT Frequency Change		-1,586		0
	Excess install funding for Block 13 to 17 Retrofits		-115,748		0
	Excess install funding for OBIGGS II		-7,700		0
	Excess install funding for Extended Range Retrofit		-22,700		0
	Funding requested ahead of need			-45,300	-133,400
	LAIRCM for the ANG (Transferred from House General Provision 8120)				16,000
39	C-32A	10,644	10,644	1,744	1,744
	Contract delay			-8,900	-8,900
40	C-37A	4,336	4,336	436	436
	Contract delay			-3,900	-3,900
44	T-38	75,274	61,057	61,057	61,057
	Improved Brake System Program Termination		-14,217	-14,217	-14,217
51	C-40	9,162	9,162	262	262
	Contract delay			-8,900	-8,900
52	C-130	354,421	99,965	146,171	181,675
	Reduction due to low execution		-209,509	-209,500	-209,500
	Centerwing Replacements - Early to need		-42,846	-19,000	-42,846
	LAIRCM - Other Government Cost		-5,101		0
	C-130 Active Noise Cancellation System		3,000		2,400

P-1		Budget Request	House	Senate	Recommendation
	Scathe View Hyper-Spectral Imagery Upgrade for Nevada ANG (Includes transfer from Other Procurement, Air Force line number 45)			4,500	3,600
	Senior Scout, Electro-Optical Infrared Capability			6,000	4,800
	Senior Scout, Line of Sight Datalink			3,000	2,400
	Senior Scout, Remote Operations Capability			3,000	2,400
	Support Equipment for Time Critical Targeting, Senior Scout			3,750	3,000
	LAIRCM for ANG HC/MC-130 aircraft (Transferred from House General Provision 8120)				33,000
	Air Force requested transfer from RDT&E, Air Force line number 218 for avionics modernization of special mission aircraft				28,000
53	C130J MODS	13,627	13,627	8,527	8,527
	Excess funding for other government costs			-5,100	-5,100
54	C-135	150,425	119,725	150,425	131,625
	Excess program funding		-32,200		-20,000
	Large Aircraft Podded Infrared Countermeasures Systems for Air Force Reserve KC-135		1,500		1,200
56	DARP	107,859	54,810	107,859	107,859
	Reduction for installs		-53,049		0
59	E-8	225,973	225,973	21,073	75,073
	Partial transfer of re-engining funds to RDT&E, Air Force line number 157			-204,900	-150,900
61	H-60	14,201	115,401	14,201	64,201
	Program Increase - HH-60G Machine Gun		20,200		10,000
	Program Increase - HH-60G Forward Looking Infrared Radar		81,000		40,000
65	MQ-1 MODS	123,889	144,889	123,889	123,889
	Program Increase		21,000		0
66	MQ-9 MODS	48,837	54,037	48,837	48,837
	Program Increase		5,200		0
68	INITIAL SPARES/REPAIR PARTS	418,604	487,604	418,604	456,604
	ANG Block 42 F-16 Engine Upgrade		69,000		38,000
69	AIRCRAFT REPLACEMENT SUPPORT EQUIP	105,820	105,820	115,820	106,820
	Initiate depot repair capability for Predator			10,000	10,000
	Program reduction				-9,000
74	C-5	11,787	11,787	11,787	7,787
	Program Reduction				-4,000
76	C-17A	91,400	0	0	0
	Program Reduction		-91,400	-91,400	-91,400

P-1		Budget Request	House	Senate	Recommendation
78A	B-2 POST PRODUCTION SUPPORT		19,800	19,800	19,800
	Air Force requested transfer from line number 26 for the B-2 Weapon System Support Center		19,800	19,800	19,800
80	F-16 POST PRODUCTION SUPPORT	19,951	19,951	12,951	12,951
	Funding requested ahead of need			-7,000	-7,000
84	WAR CONSUMABLES	134,427	134,427	136,427	136,027
	Miniature Air-Launched Decoy			2,000	1,600
85	OTHER PRODUCTION CHARGES	490,344	490,344	495,344	483,844
	LITENING 4th Generation Kit Upgrades			2,000	2,000
	P5CTS Equipment for the MT Joint Training Environment (Transferred to RDT&E, Air Force line number 81)			3,000	
	Advance Targeting Pods (Transferred from House General Provision 8120)				18,500
	Program Reduction				-27,000

C–17 GLOBEMASTER III

The recent actions of the Air Force to address and curtail the wide use of undefinitized contract actions (UCA) are encouraging. To further encourage a sense of urgency to reduce the number of UCAs, bill language has been included that limits obligations for modifications until all C–17 UCAs funded with prior year ''Aircraft Procurement, Air Force'' funds are definitized or certifications of need are made by the Secretary of the Air Force.

The Under Secretary of Defense (Acquisition, Technology and Logistics) (USD(AT&L)) is directed to review contracting procedures within the Air Force and provide a report to the congressional defense committees not later than 90 days after enactment of this Act detailing a strategy to reduce current and minimize further undefinitized contracts in the Air Force. Additionally, the USD(AT&L) is directed to provide to the congressional defense committees a consolidated list of undefinitized contracts within the Department of Defense by November 15 and April 15 of each year.

The recommendation provides an additional $2,500,000,000 for the procurement of ten C–17 aircraft, associated spares, support equipment and training equipment as required.

OPERATIONAL SUPPORT AND VIP SPECIAL AIRLIFT MISSION AIRCRAFT

The recommendation includes $220,444,000 for operational support and VIP special mission aircraft, which is the amount and quantity requested by the President. The Department of Defense maintains a number of aircraft to provide safe and secure transportation for senior government officials as well as the Combatant Commanders and other senior military leadership. The fleet of aircraft is aging creating maintenance and reliability issues. For example, the Department of Defense grounded the C–9 aircraft within the fleet due to several safety of flight issues. Accordingly, the Secretary of Defense is directed to provide a report on the health of the fleet, inventory requirements and the plans to sustain and upgrade the aircraft in the future to the congressional defense committees, within 90 days after enactment of this Act.

MISSILE PROCUREMENT, AIR FORCE

For Missile Procurement, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	MISSILE PROCUREMENT, AIR FORCE				
	BALLISTIC MISSILES				
	MISSILE REPLACEMENT EQUIPMENT - BALLISTIC				
1	MISSILE REPLACEMENT EQ-BALLISTIC	58,139	58,139	58,139	58,139
	OTHER MISSILES				
	TACTICAL				
2	JASSM	52,666	52,666	52,666	52,666
3	SIDEWINDER (AIM-9X)	78,753	78,753	78,753	78,753
4	AMRAAM	291,827	282,827	275,497	273,497
5	PREDATOR HELLFIRE MISSILE	79,699	64,530	57,545	57,545
6	SMALL DIAMETER BOMB	134,801	134,801	134,801	134,801
	INDUSTRIAL FACILITIES				
7	INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION	841	841	841	841
	TOTAL, OTHER MISSILES	638,587	614,418	600,103	598,103
	MODIFICATION OF INSERVICE MISSILES				
	CLASS IV				
8	ADVANCED CRUISE MISSILE	32	32	32	32
9	MM III MODIFICATIONS	199,484	199,484	199,484	199,484
10	AGM-65D MAVERICK	258	258	258	258
11	AGM-88A HARM	30,280	30,280	30,280	30,280
	TOTAL, MODIFICATION OF INSERVICE MISSILES	230,054	230,054	230,054	230,054

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	SPARES AND REPAIR PARTS				
13	INITIAL SPARES/REPAIR PARTS	70,185	70,185	70,185	70,185
	OTHER SUPPORT				
	SPACE PROGRAMS				
14	ADVANCED EHF	1,843,475	1,843,475	1,843,475	1,843,475
16	WIDEBAND GAPFILLER SATELLITES	201,671	626,671	151,671	151,671
17	WIDEBAND GAPFILLER SATELLITES (AP-CY)	62,380	62,380	62,380	62,380
18	SPACEBORNE EQUIP (COMSEC)	9,871	9,871	9,871	9,871
19	GLOBAL POSITIONING (SPACE)	53,140	53,140	53,140	53,140
22	DEF METEOROLOGICAL SAT PROG (SPACE)	97,764	97,764	97,764	97,764
24	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	1,295,325	1,351,015	1,189,925	1,102,125
26	SBIR HIGH (SPACE) (AP-CY)	307,456	307,456	307,456	307,456
27	SBIR HIGH (SPACE)	159,000	159,000	159,000	159,000
28	NATL POLAR-ORBITING OP ENV SATELLITE	3,900	3,900	3,900	3,900
	SPECIAL PROGRAMS				
29	DEFENSE SPACE RECONN PROGRAM	105,152	105,152	105,152	105,152
31	SPECIAL UPDATE PROGRAMS	311,070	311,070	311,070	311,070
	TOTAL, OTHER SUPPORT	4,450,204	4,930,894	4,294,804	4,207,004
999	CLASSIFIED PROGRAMS	853,559	604,669	817,059	832,059
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	6,300,728	6,508,359	6,070,344	5,995,544

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
4	AMRAAM	291,827	282,827	275,497	273,497
	Funding ahead of need for DMS		-9,000	-5,000	-7,000
	Training Equipment Program Reduction			-11,330	-11,330
5	PREDATOR HELLFIRE MISSILE	79,699	64,530	57,545	57,545
	Updated pricing		-15,169	-22,154	-22,154
16	WIDEBAND GAPFILLER SATELLITES	201,671	626,671	151,671	151,671
	Program delay		-50,000		0
	WGS-7, full funding		475,000		0
	Premature Request - transferred to RDT&E, Air Force line number 61A			-50,000	-50,000
24	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	1,295,325	1,351,015	1,189,925	1,102,125
	Reduction for AFSPC-4 and GPS IIF-8 boosters		-193,200		-193,200
	ELC transfer from classified programs		248,890		0
	Reduction for AFSPC-4			-105,400	0
999	CLASSIFIED PROGRAMS	853,559	604,669	817,059	832,059
	Classified adjustment		-248,890	-36,500	-21,500

EVOLVED EXPENDABLE LAUNCH VEHICLE

There is concern that the Air Force has not established a robust process for managing content on the Evolved Expendable Launch Vehicle (EELV) Launch Capabilities contract. Therefore, the Secretary of the Air Force is directed to establish a formal systems engineering process which includes the National Reconnaissance Office as the functional manager for space launch for the Intelligence Community, as a voting member, in order to prioritize and manage all efforts encompassed by the EELV Launch Capabilities contract.

MULTI-SATELLITE VEHICLE PROCUREMENT STRATEGIES

The language on multi-satellite vehicle procurement strategy as described in House Report 111–230 is supported in the recommendation. In addition to the programs listed in House Report 111–230, the five year investment strategy is also directed to consider Wideband Global Satellite and Advanced Extremely High Frequency satellite systems for future multi-vehicle purchases.

PROCUREMENT OF AMMUNITION, AIR FORCE

For Procurement of Ammunition, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	PROCUREMENT OF AMMUNITION, AIR FORCE				
	PROCUREMENT OF AMMO, AIR FORCE				
1	ROCKETS	43,461	40,661	43,461	40,661
2	CARTRIDGES	123,886	123,886	123,886	123,886
	BOMBS				
3	PRACTICE BOMBS	52,459	52,459	52,459	52,459
4	GENERAL PURPOSE BOMBS	225,145	215,424	228,145	217,249
5	JOINT DIRECT ATTACK MUNITION	103,041	103,041	92,825	92,825
	FLARE, IR MJU-7B				
6	CAD/PAD	40,522	40,522	40,522	40,522
7	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	3,302	3,302	3,302	3,302
8	SPARES AND REPAIR PARTS	4,582	4,582	4,582	4,582
9	MODIFICATIONS	1,289	1,289	1,289	1,289
10	ITEMS LESS THAN $5,000,000	5,061	5,061	5,061	5,061
	FUZES				
11	FLARES	152,515	152,515	152,515	152,515
12	FUZES	61,037	61,037	61,037	61,037
	TOTAL, PROCUREMENT OF AMMO, AIR FORCE	816,300	803,779	809,084	795,388
	WEAPONS				
13	SMALL ARMS	6,162	6,162	6,162	6,162
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	822,462	809,941	815,246	801,550

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
1	ROCKETS	43,461	40,661	43,461	40,661
	Rockets (2.75 Rocket Motor) Inflation Adjustment		-1,400		-1,400
	Rockets (2.75 WHD SP Smoke) Inflation Adjustment		-1,400		-1,400
4	GENERAL PURPOSE BOMBS	225,145	214,849	228,145	217,249
	BLU-109 2000 Pound Hard Target Bomb Inflation Adjustment		-9,721		-9,721
	BLU-117 2000 Pound Hard Target Bomb Inflation Adjustment		-575		-575
	MCAAP Bomb Line Modernization (Note: Includes transfer from Procurement of Ammunition, Army line number 36)			3,000	2,400
5	JOINT DIRECT ATTACK MUNITION	103,041	103,041	92,825	92,825
	Unit Cost Adjustment			-10,216	-10,216

OTHER PROCUREMENT, AIR FORCE

For Other Procurement, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	OTHER PROCUREMENT, AIR FORCE				
	VEHICULAR EQUIPMENT				
	PASSENGER CARRYING VEHICLES				
2	PASSENGER CARRYING VEHICLE	18,163	---	18,163	18,163
	CARGO + UTILITY VEHICLES				
2	FAMILY MEDIUM TACTICAL VEHICLE	25,922	25,922	25,922	25,922
3	CAP VEHICLES	897	897	897	897
	SPECIAL PURPOSE VEHICLES				
4	SECURITY AND TACTICAL VEHICLES	44,603	44,603	44,603	44,603
	FIRE FIGHTING EQUIPMENT				
5	FIRE FIGHTING/CRASH RESCUE VEHICLES	27,760	27,760	27,760	27,760
	MATERIALS HANDLING EQUIPMENT				
	BASE MAINTENANCE SUPPORT				
7	RUNWAY SNOW REMOVAL & CLEANING EQUIP	24,884	24,884	26,029	25,800
8	ITEMS LESS THAN $5M	57,243	40,243	41,667	41,382
	TOTAL, VEHICULAR EQUIPMENT	199,472	164,309	185,041	184,527
	ELECTRONICS AND TELECOMMUNICATIONS EQUIP				
	COMM SECURITY EQUIPMENT(COMSEC)				
9	COMSEC EQUIPMENT	209,249	209,249	209,249	209,249
10	MODIFICATIONS (COMSEC)	1,570	1,570	1,570	1,570
	INTELLIGENCE PROGRAMS				
11	INTELLIGENCE TRAINING EQUIPMENT	4,230	4,230	4,230	4,230
12	INTELLIGENCE COMM EQUIP	21,965	27,965	24,965	29,165
	ELECTRONICS PROGRAMS				
13	TRAFFIC CONTROL/LANDING	22,591	22,591	22,591	22,591
14	NATIONAL AIRSPACE SYSTEM	47,670	47,670	47,670	47,670
15	THEATER AIR CONTROL SYS IMPRO	56,776	56,776	56,776	56,776
16	WEATHER OBSERVATION FORECAST	19,357	19,357	19,357	19,357
17	STRATEGIC COMMAND AND CONTROL	35,116	35,116	35,116	35,116
18	CHEYENNE MOUNTAIN COMPLEX	28,608	28,608	28,608	28,608
19	DRUG INTERDICTION SUPPORT	452	452	---	---

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	SPECIAL COMM-ELECTRONICS PROJECTS				
20	GENERAL INFORMATION TECHNOLOGY	111,282	116,782	111,282	115,982
21	AF GLOBAL COMMAND & CONTROL SYSTEM	15,499	15,499	15,499	15,499
22	MOBILITY COMMAND AND CONTROL	8,610	8,610	8,610	8,610
23	AIR FORCE PHYSICAL SECURITY SYSTEM	137,293	77,293	77,293	77,293
24	COMBAT TRAINING RANGES	40,633	41,633	73,133	66,513
25	C3 COUNTERMEASURES	8,177	8,177	8,177	8,177
26	GCSS-AF FOS	81,579	37,079	81,579	37,079
27	THEATER BATTLE MGT C2 SYS	29,687	29,687	29,687	29,687
28	AIR OPERATIONS CENTER (AOC)	54,093	54,093	54,093	58,093
	AIR FORCE COMMUNICATIONS				
29	BASE INFORMATION INFRASTRUCTURE	433,859	333,859	384,859	333,859
30	USCENTCOM	38,958	38,958	38,958	38,958
	DISA PROGRAMS				
32	SPACE BASED IR SENSOR PROG SPACE	34,440	34,440	2,000	2,000
33	NAVSTAR GPS SPACE	6,415	6,415	6,415	6,415
34	NUDET DETECTION SYS (NDS) SPACE	15,436	15,436	15,436	15,436
35	AF SATELLITE CONTROL NETWORK SPACE	58,865	58,865	58,865	58,865
36	SPACELIFT RANGE SYSTEM SPACE	100,275	100,275	100,275	100,275
37	MILSATCOM SPACE	110,575	110,575	108,075	108,075
38	SPACE MODS SPACE	30,594	30,594	30,594	30,594
39	COUNTERSPACE SYSTEM	29,793	29,793	29,793	29,793
	ORGANIZATION AND BASE				
40	TACTICAL C-E EQUIPMENT	240,890	207,890	207,890	207,890
41	COMBAT SURVIVOR EVADER LOCATER	35,029	35,029	35,029	35,029
42	RADIO EQUIPMENT	15,536	15,536	15,536	15,536
44	CCTV/AUDIOVISUAL EQUIPMENT	12,961	12,961	12,961	12,961
45	BASE COMM INFRASTRUCTURE	121,049	122,049	121,049	121,049
50	ITEMS LESS THAN $5M	---	3,000	---	2,400
	MODIFICATIONS				
46	COMM ELECT MODS	64,087	64,087	64,087	64,087
	TOTAL, ELECTRONICS AND TELECOMMUNICATIONS EQUIP	2,283,199	2,062,199	2,141,307	2,054,487

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP				
	PERSONAL SAFETY AND RESCUE EQUIP				
47	NIGHT VISION GOGGLES	28,226	28,226	28,226	28,226
48	ITEMS LESS THAN $5,000,000 (SAFETY)	17,223	17,223	17,223	17,223
	DEPOT PLANT + MATERIALS HANDLING EQ				
49	MECHANIZED MATERIAL HANDLING	15,449	15,449	15,449	15,449
	BASE SUPPORT EQUIPMENT				
50	BASE PROCURED EQUIPMENT	14,300	14,300	14,300	14,300
51	CONTINGENCY OPERATIONS	22,973	10,000	10,000	10,000
52	PRODUCTIVITY CAPITAL INVESTMENT	3,020	3,020	3,020	3,020
53	MOBILITY EQUIPMENT	32,855	32,855	28,355	28,355
54	ITEMS LESS THAN $5M (BASE SUPPORT)	8,195	8,195	8,195	8,195
	SPECIAL SUPPORT PROJECTS				
56	DARP RC135	23,132	23,132	23,132	23,132
57	DISTRIBUTED GROUND SYSTEMS	293,640	293,640	293,640	293,640
59	SPECIAL UPDATE PROGRAM	471,234	471,234	471,234	471,234
60	DEFENSE SPACE RECONNAISSANCE PROGRAM	30,041	30,041	30,041	30,041
	TOTAL, OTHER BASE MAINTENANCE AND SUPPORT EQUIP	960,288	947,315	942,815	942,815
	SPARE AND REPAIR PARTS				
61	SPARES AND REPAIR PARTS	19,460	19,460	19,460	19,460
999	CLASSIFIED PROGRAMS	13,830,722	13,690,508	13,995,177	13,936,950
	TOTAL, OTHER PROCUREMENT, AIR FORCE	17,293,141	16,883,791	17,283,800	17,138,239

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
7	RUNWAY SNOW REMOVAL & CLEANING EQUIP	24,884	24,884	26,029	25,800
	Mission Essential Airfield Operations Equipment			1,145	916
8	ITEMS LESS THAN $5M	57,243	40,243	41,667	41,382
	Reduce program growth		-17,000	-17,000	-17,000
	Mission Essential Airfield Operations Equipment			1,424	1,139
12	INTELLIGENCE COMM EQUIP	21,965	27,965	24,965	29,165
	Eagle Vision III		6,000		4,800
	Eagle Vision for the Hawaii Air National Guard			3,000	2,400
19	DRUG INTERDICTION SUPPORT	452	452	0	0
	Transferred to Drug Interdiction & Counter-Drug Activities, Defense			-452	-452
20	GENERAL INFORMATION TECHNOLOGY	111,282	116,782	111,282	115,982
	Eagle Vision Program		1,500		1,500
	One AF/One Network Infrastructure		2,000		1,600
	One AF/One Network Infrastructure for the Pennsylvania National Guard		2,000		1,600
23	AIR FORCE PHYSICAL SECURITY SYSTEM	137,293	77,293	77,293	77,293
	Weapons Storage Area - Request ahead of need		-60,000	-60,000	-60,000
24	COMBAT TRAINING RANGES	40,633	41,633	73,133	66,513
	Air National Guard Joint Threat Emitter - Savannah				
	Combat Readiness Training Centers		1,000		800
	Training Range Enhancements			15,000	10,000
	Unmanned Threat Emitters (UMTE) Modernization			3,000	2,400
	Joint Pacific Alaska Range Complex (JPARC) Enhancements			14,500	12,680
26	GCSS-AF FOS	81,579	37,079	81,579	37,079
	ECSS Program restructure		-44,500		-44,500
28	AIR OPERATIONS CENTER (AOC)	54,093	54,093	54,093	58,093
	Joint Threat Emitters (Note: Includes transfer from RDT&E,A line number 120)				4,000
29	BASE INFORMATION INFRASTRUCTURE	433,859	333,859	384,859	333,859
	Reduce program growth		-100,000	-49,000	-100,000
	ANG Infrastructure				[100,000]
32	SPACE BASED IR SENSOR PROG SPACE	34,440	34,440	2,000	2,000
	Premature request			-32,440	-32,440
37	MILSATCOM SPACE	110,575	110,575	108,075	108,075
	Funding ahead of need			-2,500	-2,500

P-1		Budget Request	House	Senate	Recommendation
40	TACTICAL C-E EQUIPMENT	240,890	207,890	207,890	207,890
	Reduce Vehicle Communication Systems		-33,000	-33,000	-33,000
45	BASE COMM INFRASTRUCTURE	121,049	122,049	121,049	121,049
	Nevada Air National Guard Scathe View (Note: transferred to Air Procurement, Air Force line number 52)		1,000		
50	ITEMS LESS THAN $5M	0	3,000	0	2,400
	Aircrew Body Armor and Load Carriage Vest System		3,000		2,400
51	CONTINGENCY OPERATIONS	22,973	10,000	10,000	10,000
	Reduce program growth		-12,973	-12,973	-12,973
53	MOBILITY EQUIPMENT	32,855	32,855	28,355	28,355
	Excess funding for EALS			-4,500	-4,500
999	CLASSIFIED PROGRAMS	13,830,722	13,690,508	13,995,177	13,936,950
	Classified adjustment		-158,377	164,455	106,228

BASE INFORMATION INFRASTRUCTURE

The fiscal year 2010 budget request includes $425,780,000 for the Combat Information Transport System (CITS), an increase of $88,590,000 from the amount appropriated in fiscal year 2009. This requested increase stemmed from a requirement to modernize the information transport system at standalone Air National Guard (ANG) bases. While there is support for funding the ANG requirement, it is recognized that the CITS program has yet to obligate $126,700,000 in fiscal year 2008 funding, and, despite reallocating over $90,000,000 away from CITS, the service has yet to obligate an additional $87,500,000 in fiscal year 2009 funding. Therefore, the Base Information Infrastructure request is reduced by $100,000,000, and the Secretary of the Air Force is directed to allocate no less than $100,000,000 of the appropriated amount to Air National Guard modernization.

PROCUREMENT, DEFENSE-WIDE

For Procurement, Defense-Wide, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	PROCUREMENT, DEFENSE-WIDE				
	MAJOR EQUIPMENT				
	MAJOR EQUIPMENT, OSD				
47	MAJOR EQUIPMENT, OSD	111,487	111,487	111,487	111,487
	MAJOR EQUIPMENT, NSA				
44	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	4,013	4,013	4,013	4,013
	MAJOR EQUIPMENT, WHS				
50	MAJOR EQUIPMENT, WHS	26,945	26,945	26,945	26,945
	MAJOR EQUIPMENT, DISA				
18	INFORMATION SYSTEMS SECURITY	13,449	13,449	10,449	10,449
19	GLOBAL COMMAND AND CONTROL SYS	7,053	7,053	7,053	7,053
20	GLOBAL COMBAT SUPPORT SYSTEM	2,820	2,820	2,820	2,820
21	TELEPORT PROGRAM	68,037	68,037	68,037	68,037
22	ITEMS LESS THAN $5M	196,232	196,232	196,232	196,232
23	NET CENTRIC ENTERPRISE SERVICES (NCES)	3,051	3,051	3,051	3,051
24	DEFENSE INFORMATION SYSTEMS NETWORK	89,725	89,725	89,725	89,725
25	PUBLIC KEY INFRASTRUCTURE	1,780	1,780	1,780	1,780
26	JOINT COMMAND AND CONTROL PROGRAM	2,835	2,835	---	---
27	CYBER SECURITY INITIATIVE	18,188	18,188	18,188	18,188
	MAJOR EQUIPMENT, DLA				
28	MAJOR EQUIPMENT	7,728	7,728	7,728	7,728
	MAJOR EQUIPMENT, DCAA				
3	MAJOR EQUIPMENT ITEMS LESS THAN $5M	1,489	1,489	1,489	1,489
	MAJOR EQUIPMENT, TJS				
48	MAJOR EQUIPMENT, TJS	12,065	12,065	12,065	12,065
	MAJOR EQUIPMENT, DHRA				
5	PERSONNEL ADMINISTRATION	10,431	10,431	10,431	10,431
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY				
32	VEHICLES	50	50	50	50
33	OTHER MAJOR EQUIPMENT	7,447	7,447	7,447	7,447
	MAJOR EQUIPMENT, DODDE				
30	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,463	1,463	1,463	1,463
	MAJOR EQUIPMENT, DCMA				
4	MAJOR EQUIPMENT	2,012	2,012	2,012	2,012
	MAJOR EQUIPMENT, DTSA				
34	MAJOR EQUIPMENT	436	436	436	436

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	MAJOR EQUIPMENT, BTA				
2	MAJOR EQUIPMENT, BTA	8,858	8,858	8,858	8,858
	MAJOR EQUIPMENT, DMACT				
29	A - WEAPON SYSTEM COST	10,149	10,149	10,149	10,149
35	THAAD SYSTEM	420,300	420,300	420,300	420,300
36	SM-3	168,723	168,723	226,323	226,323
36A	TPY-2 RADAR	---	---	41,000	---
	TOTAL, MAJOR EQUIPMENT	1,196,766	1,196,766	1,289,531	1,248,531
	SPECIAL OPERATIONS COMMAND				
	AVIATION PROGRAMS				
51	SOF ROTARY WING UPGRADES AND SUSTAINMENT	101,936	90,936	101,936	90,936
52	MH-47 SERVICE LIFE EXTENSION PROGRAM	22,958	22,958	28,858	28,858
53	MH-60 SOF MODERNIZATION PROGRAM	146,820	146,820	146,820	146,820
54	NON-STANDARD AVIATION	227,552	197,552	152,552	177,552
56	SOF TANKER RECAPITALIZATION	34,200	34,200	34,200	34,200
57	SOF U-28	2,518	2,518	2,518	2,518
59	CV-22 SOF MODIFICATION	114,553	114,553	114,553	114,553
60	MQ-1 UAV	10,930	10,930	10,930	10,930
61	MQ-9 UAV	12,671	12,671	12,671	12,671
62	STUASLO	12,223	12,223	12,223	12,223
63	C-130 MODIFICATIONS	59,950	145,950	54,816	59,650
64	AIRCRAFT SUPPORT	973	973	973	973
	SHIPBUILDING				
65	ADVANCED SEAL DELIVERY SYS (ASDS)	5,236	---	---	---
66	MK VIII MOD 1 - SEAL DELIVERY VEH	1,463	1,463	1,463	1,463
	AMMUNITION PROGRAMS				
67	SOF ORDNANCE REPLENISHMENT	61,360	61,360	61,360	61,360
68	SOF ORDNANCE ACQUISITION	26,791	26,791	26,791	26,791

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	OTHER PROCUREMENT PROGRAMS				
69	COMM EQUIPMENT & ELECTRONICS	55,080	55,080	55,080	55,080
70	SOF INTELLIGENCE SYSTEMS	72,811	72,811	72,811	72,811
71	SMALL ARMS & WEAPONS	35,235	40,235	35,635	41,635
72	MARITIME EQUIPMENT MODS	791	791	791	791
74	SOF COMBATANT CRAFT SYSTEMS	6,156	6,156	16,156	11,156
75	SPARES AND REPAIR PARTS	2,010	2,010	2,010	2,010
76	TACTICAL VEHICLES	18,821	20,821	15,821	19,421
77	MISSION TRAINING AND PREPARATIONS SYSTEMS	17,265	17,265	21,265	20,865
78	COMBAT MISSION REQUIREMENTS	20,000	20,000	20,000	20,000
79	MILCON COLLATERAL EQUIPMENT	6,835	6,835	6,835	6,835
81	SOF AUTOMATION SYSTEMS	60,836	49,136	60,836	55,136
82	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	12,401	12,401	12,401	12,401
83	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	26,070	26,070	31,270	26,070
84	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	550	550	550	550
85	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SY	33,741	33,741	43,741	39,341
86	SOF TACTICAL RADIO SYSTEMS	53,034	60,034	57,034	57,034
87	SOF MARITIME EQUIPMENT	2,777	5,277	2,777	2,777
89	MISCELLANEOUS EQUIPMENT	7,576	9,576	7,576	9,176
90	SOF OPERATIONAL ENHANCEMENTS	273,998	280,898	277,498	286,498
91	PSYOP EQUIPMENT	43,081	52,081	43,081	43,081
	TOTAL, SPECIAL OPERATIONS COMMAND	1,591,202	1,653,666	1,545,832	1,564,166

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	CHEMICAL/BIOLOGICAL DEFENSE				
92	INSTALLATION FORCE PROTECTION	65,590	65,590	65,590	65,590
93	INDIVIDUAL PROTECTION	92,004	92,004	92,004	92,004
94	DECONTAMINATION	22,008	22,008	27,608	26,488
95	JOINT BIOLOGICAL DEFENSE PROGRAM	12,740	12,740	12,740	12,740
96	COLLECTIVE PROTECTION	27,938	27,938	32,938	32,938
97	CONTAMINATION AVOIDANCE	151,765	151,765	127,115	127,115
	TOTAL, CHEMICAL/BIOLOGICAL DEFENSE	372,045	372,045	357,995	356,875
999	CLASSIFIED PROGRAMS	824,339	814,339	824,339	880,965
	TOTAL, PROCUREMENT, DEFENSE-WIDE	3,984,352	4,036,816	4,017,697	4,050,537

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

P-1		Budget Request	House	Senate	Recommendation
18	INFORMATION SYSTEMS SECURITY	13,449	13,449	10,449	10,449
	Contract delays			-3,000	-3,000
26	JOINT COMMAND AND CONTROL PROGRAM	2,835	2,835	0	0
	NECC program adjustment			-2,835	-2,835
36	SM-3	168,723	168,723	226,323	226,323
	Additon of six SM-3 Block 1A missiles			57,600	57,600
36a	ADVANCED PROCUREMENT FUNDING FOR TPY-2 RADARS			41,000	0
51	SOF ROTARY WING UPGRADES AND SUSTAINMENT	101,936	90,936	101,936	90,936
	SIRFC execution		-11,000		-11,000
52	MH-47 SERVICE LIFE EXTENSION PROGRAM	22,958	22,958	28,858	28,858
	Program shortfall transferred from OCO line number 52			5,900	5,900
54	NON-STANDARD AVIATION	227,552	197,552	152,552	177,552
	Procurement schedule		-30,000		-50,000
	Medium non-standard aircraft			-75,000	0
63	C-130 MODIFICATIONS	59,950	145,950	54,816	59,650
	MC-130W Dragon Spear Modifications		85,000		0
	Intelligence Broadcast Receiver for AFSOC MC-130		1,000		800
	Carryover of fiscal year 2008 funds for center wing box replacement			-5,134	-1,100
65	ADVANCED SEAL DELIVERY SYSTEM (ASDS)	5,236	0	0	0
	SECDEF Program Termination		-5,236	-5,236	-5,236
71	SMALL ARMS & WEAPONS	35,235	40,235	35,635	41,635
	SOPMOD II (M4 Carbine Rail System)		2,500		2,000
	Special Operations Forces Combat Assault Rifle		2,500		2,000
	Contracting delays			-9,000	-7,000
	MK47 Mod 0 Advanced Lightweight Grenade Launcher			6,000	6,000
	M4 Weapons Shot Counter			3,400	3,400
74	SOF COMBATANT CRAFT SYSTEMS	6,156	6,156	16,156	11,156
	Special Operations Craft - Riverine			10,000	5,000
76	TACTICAL VEHICLES	18,821	20,821	15,821	19,421
	Light Mobility Vehicle - Internally Transportable Vehicle		2,000		1,600
	Contract delays			-3,000	-1,000
77	MISSION TRAINING AND PREPARATIONS SYSTEMS	17,265	17,265	21,265	20,865
	Special Operations Live Rehearsal System			2,000	1,600
	Small Arms Training Ranges			2,000	2,000
81	SOF AUTOMATION SYSTEMS	60,836	49,136	60,836	55,136
	Distributive Data Center		-11,700		-5,700
83	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	26,070	26,070	31,270	26,070
	Mission Helmet Recording System (Transferred to line number 90)			5,200	0

P-1		Budget Request	House	Senate	Recommendation
85	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	33,741	33,741	43,741	39,341
	Fusion Goggle System (Transferred to line number 90)			3,000	0
	Overt Small Laser Marker			2,000	1,600
	SOVAS-Hand Held Imager/Long Range			5,000	4,000
86	SOF TACTICAL RADIO SYSTEMS	53,034	60,034	57,034	57,034
	AN/PRC-148 MBITR/JTRS Enhanced MBITR		10,000	4,000	4,000
	Next Generation Communication System		-3,000		0
87	SOF MARITIME EQUIPMENT	2,777	5,277	2,777	2,777
	NSW Protective Combat Uniform (Transferred to O&M Defense-Wide)		2,500		0
89	MISCELLANEOUS EQUIPMENT	7,576	9,576	7,576	9,176
	Expansion of the Forensic Intelligence Technologies and Training Support Center of Excellence		2,000		1,600
90	SOF OPERATIONAL ENHANCEMENTS	273,998	280,898	277,498	286,498
	Program Increase - Unfunded Requirement - Processing, Exploiting, and Dissemination Enhanced Capability		6,900		2,500
	Special Operations High Performance In-Line Sniper Scope			3,500	2,400
	Mission Helmet Recording System (Transferred from line number 83)				5,200
	Fusion Goggle System (Transferred from line number 85)				2,400
91	PSYOP EQUIPMENT	43,081	52,081	43,081	43,081
	Program Increase - Airborne Psyop Equipment		9,000		0
94	DECONTAMINATION	22,008	22,008	27,608	26,488
	Reactive Skin Decontamination Lotion			5,600	4,480
96	COLLECTIVE PROTECTION	27,938	27,938	27,938	32,938
	Chemical and Biological Protective Shelter			5,000	5,000
97	CONTAMINATION AVOIDANCE	151,765	151,765	127,115	127,115
	JBPDS excessive engineering change orders			-3,000	-3,000
	JNBCRS contract delays			-21,650	-21,650
999	CLASSIFIED PROGRAMS	824,339	814,339	824,339	880,965
	Classified Adjustments		-10,000		56,626

COMBAT MISSION REQUIREMENTS

The Commander, Special Operations Command, is directed to submit quarterly reports to the congressional defense committees on the use of funds provided in this title for Special Operations Command combat mission requirements.

NATIONAL GUARD AND RESERVE EQUIPMENT

Funding for National Guard and Reserve Equipment is addressed in Title IX of this Act.

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	NATIONAL GUARD & RESERVE EQUIPMENT				
	RESERVE EQUIPMENT				
	ARMY RESERVE				
1	MISCELLANEOUS EQUIPMENT	---	---	135,000	---
	NAVY RESERVE				
2	MISCELLANEOUS EQUIPMENT	---	---	70,000	---
	MARINE CORPS RESERVE				
3	MISCELLANEOUS EQUIPMENT	---	---	50,000	---
	AIR FORCE RESERVE				
4	MISCELLANEOUS EQUIPMENT	---	---	70,000	---
	TOTAL, RESERVE EQUIPMENT	---	---	325,000	---
	NATIONAL GUARD EQUIPMENT				
	ARMY NATIONAL GUARD				
5	MISCELLANEOUS EQUIPMENT	---	---	1,000,000	---
	AIR NATIONAL GUARD				
6	MISCELLANEOUS EQUIPMENT	---	---	175,000	---
	TOTAL, NATIONAL GUARD EQUIPMENT	---	---	1,175,000	---
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	---	---	1,500,000	---

DEFENSE PRODUCTION ACT PURCHASES

For Defense Production Act Purchases, $150,746,000 is available for fiscal year 2010, as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
(in thousands of dollars)

	Budget Request	House	Senate	Recommendation
BERYLLIUM SUPPLY INDUSTRIAL BASE	19,500	19,500	19,500	19,500
GALLIUM NITRIDE X-BAND MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	2,500	2,500	2,500	2,500
GALLIUM NITRIDE ELECTRONIC WARFARE	120	120	120	120
POWER AND ENERGY SYSTEMS PRODUCTION INITIATIVE	9,086	9,086	9,086	9,086
RADIATION HARDENED MICROELECTRONICS MODERNIZATION	3,000	3,000	3,000	3,000
LITHIUM ION (LI ION) BATTERY PRODUCTION	4,040	6,040	54,040	31,040
Program Increase - Lithium Ion Battery Production		2,000	50,000	27,000
ALUMINUM OXY-NITRIDE AND SPINEL OPTICAL CERAMICS		3,000		2,400
ARMOR AND STRUCTURES TRANSFORMATION INITIATIVE - STEEL TO TITANIUM		8,100		8,100
FLEXIBLE AEROGEL MATERIALS SUPPLIER INITIATIVE		2,000	3,000	2,400
HIGH PERFORMANCE THERMAL BATTERY INFRASTRUCTURE PROJECT		3,000		3,000
INVENTORY FOR DEFENSE APPLICATIONS TO ENSURE RELIABILITY OF SHORT LEAD TIMES		10,000		10,000
LOW COST MILITARY GLOBAL POSITIONING SYSTEM (GPS) RECEIVER		4,000		3,200
METAL INJECTION MOLDING TECHNOLOGICAL IMPROVEMENTS		1,000		800
MILITARY LENS FABRICATION AND ASSEMBLY		4,000		3,200

	Budget Request	House	Senate	Recommendation
NAVY PRODUCTION CAPACITY IMPROVEMENT PROJECT		1,000	4,000	3,200
PRODUCTION OF MINIATURE COMPRESSORS FOR ELECTRONICS AND PERSONAL COOLING		4,500		3,600
RADIATION HARDENED CRYOGENIC READ OUT INTEGRATED CIRCUITS		2,000		1,600
ADVANCED CARBON NANOTUBE VOLUME PRODUCTION FACILITY			3,000	2,400
AUTOMATED COMPOSITE TECHNOLOGIES AND MANUFACTURING CENTER			12,000	9,600
BIO-SYNTHETIC PARAFFINIC KEROSENE PRODUCTION			5,000	4,000
CONDUCTIVE COMPOSITES NANO-MATERIALS SCALE-UP INITIATIVE			3,500	2,800
EXTREMELY LARGE, DOMESTIC EXPENDABLE AND REUSABLE STRUCTURES MANUFACTURING CENTER			9,800	7,840
GOODRICH TERAHERTZ SPECTROMETER			5,000	4,000
HIGH HOMOGENEITY OPTICAL GLASS			4,000	3,200
LIGHTWEIGHT SMALL CALIBER AMMUNITION PRODUCTION INITIATIVE			4,200	3,760
TITANIUM METAL MATRIX COMPOSITE AND NANO-ENHANCED TITANIUM DEVELOPMENT			8,000	6,400
TOTAL DPA	38,246	82,846	149,746	150,746

TITLE IV - RESEARCH, DEVELOPMENT, TEST AND EVALUATION

For Research, Development, Test and Evaluation, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
RECAPITULATION				
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY.....	10,438,218	11,151,884	10,653,126	11,474,180
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY.....	19,270,932	20,197,300	19,148,509	20,003,463
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE.	27,992,827	27,976,278	28,049,015	28,121,985
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE.....	20,741,542	20,721,723	20,408,968	20,747,081
OPERATIONAL TEST AND EVALUATION, DEFENSE.....	190,770	190,770	190,770	190,770
GRAND TOTAL, RDT&E.....	78,634,289	80,237,955	78,450,388	80,537,479

JOINT LIGHT TACTICAL VEHICLE

The budget request includes a total of $90,099,000 to continue technology development for the Joint Light Tactical Vehicle (JLTV). The acquisition strategy involves competitive prototyping of vehicles from three contractors, followed by a down-select to two vehicles in fiscal year 2011 to proceed into the engineering and manufacturing development phase of the program. The recommendation fully supports this development strategy, which shares a number of elements of the reforms that have been written into law by the Weapon Systems Acquisition Reform Act of 2009. However, the program has yet to demonstrate itself as a model for a successful development program despite the reformed acquisition strategy. The funding profile has not changed despite a four month delay in initiating the program. Deficiencies in billings have resulted in the program falling far behind the financial benchmarks established by the Department of Defense. Program management has been complicated due to the different funding strategies pursued by the Army and the Marine Corps. There is great concern that of the $217,255,000 Congress has approved for JLTV since fiscal year 2007, only $53,128,000 had been expended through the end of fiscal year 2009. Despite these challenges, information has been provided that the program is proceeding in accordance with its revised schedule, billing errors are being addressed, budget execution is being corrected and prior year funding will be exhausted in 2010. Based upon these assurances, the recommendation contains full funding for the budget request. Careful oversight of program execution and military requirements will continue to ensure the commitment of the Army and Marine Corps to the success of the program.

EJECTION SEATS

The US16E ejection seat was competitively selected as the ejection seat for the F–35 Joint Strike Fighter. The progress made on this ejection seat is encouraging and the program of record is fully supported.

ENERGETICS

House language noted that the efforts of the military Services as coordinated through the Office of the Secretary of Defense, with the Department of Energy, have led to steady progress in the last decade in advancing the science of energetics and revitalizing the research and development workforce.

However, a report on energetics in the Department of Defense, as directed in House Report 110–652, and which was to be provided to the congressional defense committees not later than March 1, 2009, was completed June 2009, and was finally delivered September 2, 2009.

House language recommended that the Department of Defense capitalize on best practices within the individual Services to advance the state of the energetics field, and directed that no funds be expended for the creation of a new Executive Agent or Executive Director for Advanced Energetics. The Senate included no similar language.

The recommendation includes no language regarding the use of funds for the creation of a new Executive Agent or Executive Director for Advanced Energetics and directs instead that the Secretary of Defense shall provide a report to the congressional defense committees not later than October 1, 2010, on progress being made on the findings and actions in the June 2009 report.

DOMESTIC ENERGY PRODUCTION

There is concern that a plan has not been presented to fund continued development and risk mitigation of domestic gas centrifuge enrichment technology during fiscal year 2010. Despite that, there is support for efforts to develop domestic gas centrifuge enrichment technology so that it can move to commercial scale uranium enrichment operations and potentially serve as a domestic source of fuel for nuclear power and the enrichment requirements of the defense community. Therefore, the Secretary of Defense, in consultation with the Department of Energy, is urged to explore utilizing all possible existing statutory authority to fund this important activity and to report to the Committees on Appropriations of both the House and Senate no later than 30 days following enactment of this Act regarding funding options.

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase ''only for'' or ''only to'' are congressional interest items for purposes of the Base for Reprogramming Department of Defense form (DD Form 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, as specifically addressed in these materials.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

It is the intent of Congress that the program baseline for reprogramming funds reflects all approved adjustment actions: the initial appropriation as well as any rescissions, supplemental appropriations and approved Department of Defense 1415 reprogrammings. The Secretary of Defense is directed to ensure that financial management regulations incorporate approved reprogramming actions as an adjustment to the base for reprogramming value.

The Department of Defense is directed to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2006 Department of Defense Appropriations Act (H.R. 109–119). Specifically, the dollar threshold for reprogramming funds will remain at $20,000,000 for procurement and $10,000,000 for research, development, test, and evaluation. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20 percent of the procurement or research, development, test and evaluation line, whichever is less. The percentage change limitation applies to both program increases and decreases. Additionally, this percentage change applies to the program base value at the time the below threshold movement of funds is executed. These thresholds are cumulative from the base for reprogramming value as modified by any adjustment action. Therefore, if the combined value of transfers into or out of a procurement (P–1) or research, development, test, and evaluation (R–1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming request to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this report. This guidance is effective for fiscal year 2010 and forward.

REPROGRAMMING REPORTING REQUIREMENTS

The Under Secretary of Defense (Comptroller) is directed to continue to provide the congressional defense committees quarterly, spreadsheet-based DD 1416 reports for service and defense-wide accounts in titles III and IV of this Act as required in the statement of the managers accompanying the conference report on the Department of Defense Appropriations Act, 2006.

FUNDING INCREASES

The funding increases outlined in these tables shall be provided only for the specific purposes indicated in the table.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For Research, Development, Test and Evaluation, Army, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
	BASIC RESEARCH				
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,671	19,671	19,671	19,671
2	DEFENSE RESEARCH SCIENCES	173,024	196,074	183,324	198,504
3	UNIVERSITY RESEARCH INITIATIVES	88,421	110,421	87,921	99,921
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	96,144	114,844	103,144	115,944
	TOTAL, BASIC RESEARCH	377,260	441,010	394,060	434,040
	APPLIED RESEARCH				
5	MATERIALS TECHNOLOGY	27,206	68,256	81,806	99,906
6	SENSORS AND ELECTRONIC SURVIVABILITY	50,641	67,641	58,641	70,641
7	TRACTOR HIP	14,324	14,324	14,324	14,324
8	AVIATION TECHNOLOGY	41,332	50,832	44,332	49,532
9	ELECTRONIC WARFARE TECHNOLOGY	16,119	24,119	16,119	22,419
10	MISSILE TECHNOLOGY	50,716	64,816	65,716	71,296
11	ADVANCED WEAPONS TECHNOLOGY	19,678	22,678	19,678	22,078
12	ADVANCED CONCEPTS AND SIMULATION	17,473	26,973	23,473	27,473
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	55,937	74,437	66,437	79,337
14	BALLISTICS TECHNOLOGY	61,843	79,843	64,843	78,443
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	5,293	13,293	7,293	13,693
16	JOINT SERVICE SMALL ARMS PROGRAM	7,674	7,674	7,674	7,674
17	WEAPONS AND MUNITIONS TECHNOLOGY	41,085	124,585	88,985	145,625
18	ELECTRONICS AND ELECTRONIC DEVICES	61,404	115,454	107,204	135,234
19	NIGHT VISION TECHNOLOGY	26,893	48,893	35,893	51,143
20	COUNTERMINE SYSTEMS	18,945	20,945	22,945	23,745
21	HUMAN FACTORS ENGINEERING TECHNOLOGY	18,605	33,605	18,605	30,605
22	ENVIRONMENTAL QUALITY TECHNOLOGY	15,902	19,402	23,402	25,602
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	24,833	31,533	24,833	30,193
24	COMPUTER AND SOFTWARE TECHNOLOGY	5,639	5,639	5,639	5,639
25	MILITARY ENGINEERING TECHNOLOGY	54,818	61,918	57,818	61,098
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,701	18,701	16,701	16,701

(In thousands of dollars)

		Budget	House	Senate	Recommendation
27	WARFIGHTER TECHNOLOGY	27,109	31,909	38,109	38,549
28	MEDICAL TECHNOLOGY	99,027	195,942	165,387	223,107
	TOTAL, APPLIED RESEARCH	781,197	1,223,412	1,075,857	1,344,117
	ADVANCED TECHNOLOGY DEVELOPMENT				
29	WARFIGHTER ADVANCED TECHNOLOGY	37,574	54,524	41,874	54,574
30	MEDICAL ADVANCED TECHNOLOGY	72,940	301,866	196,040	341,531
31	AVIATION ADVANCED TECHNOLOGY	60,097	87,097	104,697	112,977
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	66,410	89,910	71,210	90,330
33	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	89,586	162,186	182,886	241,446
34	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	8,667	13,667	8,667	12,417
35	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	7,410	7,410	7,410	7,410
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,458	57,258	58,458	57,498
37	TRACTOR HIKE	11,328	11,328	11,328	11,328
38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	19,415	23,915	22,415	25,495
39	TRACTOR ROSE	14,569	14,569	14,569	14,569
40	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	---	3,500	12,200	12,560
41	MILITARY HIV RESEARCH	6,657	29,657	6,657	29,657
42	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	11,989	11,989	36,989	11,989
43	ELECTRONIC WARFARE TECHNOLOGY	19,192	22,692	19,192	21,992
44	MISSILE AND ROCKET ADVANCED TECHNOLOGY	63,951	75,751	79,451	87,011
45	TRACTOR CAGE	12,154	12,154	12,154	12,154
46	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	30,317	30,317	36,217	35,037
47	JOINT SERVICE SMALL ARMS PROGRAM	8,996	8,996	8,996	8,996
48	NIGHT VISION ADVANCED TECHNOLOGY	40,329	64,829	57,329	72,629
49	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	15,706	15,706	16,206	16,206
50	MILITARY ENGINEERING ADVANCED TECHNOLOGY	5,911	45,461	17,511	45,631
51	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY	41,561	60,061	47,061	57,361
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	695,217	1,204,843	1,069,517	1,380,798

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	DEMONSTRATION & VALIDATION				
52	UNIQUE ITEM IDENTIFICATION (UID)	---	2,500	---	2,000
53	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	14,683	31,683	74,783	72,163
54	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	117,471	120,471	118,671	119,231
55	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	209,531	110,531	211,531	166,931
57	LANDMINE WARFARE AND BARRIER - ADV DEV	17,536	17,536	17,536	17,536
58	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	4,920	4,920	4,920	4,920
59	TANK AND MEDIUM CALIBER AMMUNITION	33,934	33,934	33,934	33,934
60	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	90,299	90,299	90,299	90,299
61	SOLDIER SUPPORT AND SURVIVABILITY	31,752	31,752	33,752	33,352
62	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - AD	18,228	18,228	12,228	12,228
64	ENVIRONMENTAL QUALITY TECHNOLOGY	4,770	19,770	6,770	18,470
65	WARFIGHTER INFORMATION NETWORK-TACTICAL	180,673	165,673	180,673	170,673
66	NATO RESEARCH AND DEVELOPMENT	5,048	5,048	5,048	5,048
67	AVIATION - ADV DEV	8,537	8,537	8,537	8,537
68	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	56,373	57,373	49,873	59,973
69	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION	9,868	9,868	9,868	9,868
70	MEDICAL SYSTEMS - ADV DEV	31,275	37,275	33,275	36,075
71	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	71,832	71,007	71,832	74,172
72	INTEGRATED BROADCAST SERVICE	1,476	1,476	1,476	1,476
	TOTAL, DEMONSTRATION & VALIDATION	908,206	837,881	965,006	936,886

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	ENGINEERING & MANUFACTURING DEVELOPMENT				
73	AIRCRAFT AVIONICS	92,977	88,977	92,977	89,977
74	ARMED, DEPLOYABLE OH-58D	65,515	70,515	61,236	66,515
75	ELECTRONIC WARFARE DEVELOPMENT	248,463	248,463	197,463	202,063
76	ALL SOURCE ANALYSIS SYSTEM	13,107	13,107	13,107	13,107
77	TRACTOR CAGE	16,286	16,286	16,286	16,286
78	INFANTRY SUPPORT WEAPONS	74,814	76,814	82,814	83,614
79	MEDIUM TACTICAL VEHICLES	5,683	5,683	5,683	5,683
80	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD	978	978	978	978
81	FAMILY OF HEAVY TACTICAL VEHICLES	7,477	10,477	7,477	9,877
82	AIR TRAFFIC CONTROL	7,578	7,578	7,578	7,578
83	NON-LIGHT OF SIGHT LAUNCH SYSTEM	88,660	88,660	92,460	91,700
84	NON-LINE OF SIGHT CANNON	58,216	31,216	58,216	48,216
85	FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE	368,557	184,557	368,557	276,557
86	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	1,067,191	1,067,191	868,191	917,191
87	FCS RECONNAISSANCE (UAV) PLATFORMS	68,701	68,701	78,001	75,501
88	FCS UNMANNED GROUND VEHICLES	125,616	125,616	125,616	125,616
89	FCS UNATTENDED GROUND SENSORS	26,919	26,919	26,919	26,919
90	FCS SUSTAINMENT & TRAINING R&D	749,182	749,182	567,182	659,182
92	NIGHT VISION SYSTEMS - SDD	55,410	57,910	55,410	57,410
93	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,092	2,092	2,092	2,092
94	NON-SYSTEM TRAINING DEVICES - SDD	30,209	30,209	30,209	30,209
95	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	28,936	28,936	28,936	28,936
96	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	33,213	33,213	33,213	33,213
97	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	15,320	15,320	15,320	15,320
98	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD	15,727	15,727	15,727	15,727
99	POSITIONING SYSTEMS DEVELOPMENT (SPACE)	9,446	9,446	9,446	9,446
100	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	26,243	26,243	26,243	26,243
102	WEAPONS AND MUNITIONS - SDD	34,878	44,378	69,878	87,478
103	LOGISTICS AND ENGINEER EQUIPMENT - SDD	36,018	37,518	36,018	37,218

(In thousands of dollars)

	Budget	House	Senate	Recommendation
104 COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD	88,995	88,995	43,995	58,995
105 MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT	33,893	40,293	37,393	42,013
106 LANDMINE WARFARE/BARRIER - SDD	82,260	60,960	82,260	72,760
107 ARTILLERY MUNITIONS	42,452	42,452	42,452	42,452
108 COMBAT IDENTIFICATION	20,070	20,070	10,070	10,070
109 ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	90,864	85,364	78,072	79,864
111 GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	6,002	6,002	6,002	23,902
112 FIREFINDER	20,333	20,333	20,333	20,333
113 SOLDIER SYSTEMS - WARRIOR DEM/VAL	19,786	19,786	19,786	19,786
114 ARTILLERY SYSTEMS	23,318	34,318	114,818	116,418
115 PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	569,182	569,182	569,182	569,182
116 NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,140	7,140	7,140	7,140
117 INFORMATION TECHNOLOGY DEVELOPMENT	35,309	35,309	67,109	66,909
118 JOINT AIR-TO-GROUND MISSILE (JAGM)	127,439	127,439	127,439	127,439
119 MANNED GROUND VEHICLE	100,000	50,000	100,000	80,000
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	4,640,455	4,389,555	4,319,284	4,397,115
RDT&E MANAGEMENT SUPPORT				
120 THREAT SIMULATOR DEVELOPMENT	22,222	30,222	22,222	25,222
121 TARGET SYSTEMS DEVELOPMENT	13,615	13,615	13,615	13,615
122 MAJOR T&E INVESTMENT	51,846	51,846	51,846	51,846
123 RAND ARROYO CENTER	16,305	16,305	18,305	17,905
124 ARMY KWAJALEIN ATOLL	163,514	163,514	163,514	163,514
125 CONCEPTS EXPERIMENTATION PROGRAM	23,445	23,445	26,945	26,545
127 ARMY TEST RANGES AND FACILITIES	354,693	354,693	354,693	354,693
128 ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	72,911	75,111	86,611	84,831
129 SURVIVABILITY/LETHALITY ANALYSIS	45,016	45,016	45,016	45,016
130 DOD HIGH ENERGY LASER TEST FACILITY	2,891	2,891	8,891	7,391
131 AIRCRAFT CERTIFICATION	3,766	3,766	3,766	3,766
132 METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,391	8,391	8,391	8,391
133 MATERIEL SYSTEMS ANALYSIS	19,969	19,969	19,969	19,969

(In thousands of dollars)

	Budget	House	Senate	Recommendation
134 EXPLOITATION OF FOREIGN ITEMS	5,432	5,432	5,432	5,432
135 SUPPORT OF OPERATIONAL TESTING	77,877	77,877	77,877	77,877
136 ARMY EVALUATION CENTER	66,309	68,309	66,309	67,909
137 SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)	5,357	5,357	5,357	5,357
138 PROGRAMWIDE ACTIVITIES	77,823	77,823	77,823	77,823
139 TECHNICAL INFORMATION ACTIVITIES	51,620	51,620	51,620	51,620
140 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	45,053	70,653	56,153	73,233
141 ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	5,191	5,191	5,191	5,191
142 MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	15,866	15,866	15,866	15,866
TOTAL, RDT&E MANAGEMENT SUPPORT	1,149,112	1,186,912	1,185,412	1,203,012
OPERATIONAL SYSTEMS DEVELOPMENT				
144 MLRS PRODUCT IMPROVEMENT PROGRAM	27,693	27,693	27,693	27,693
146 AEROSTAT JOINT PROJECT OFFICE	360,076	288,076	360,076	330,076
147 ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	23,727	30,727	23,727	29,327
148 COMBAT VEHICLE IMPROVEMENT PROGRAMS	190,301	192,301	197,201	197,421
149 MANEUVER CONTROL SYSTEM	21,394	21,394	21,394	21,394
150 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	209,401	209,401	214,817	214,107
151 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	792	792	792	792
152 DIGITIZATION	10,692	10,692	10,692	10,692
154 MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	39,273	39,273	39,273	39,273
155 OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	---	5,000	---	4,000
156 TRACTOR CARD	20,035	20,035	20,035	20,035
158 JOINT TACTICAL GROUND SYSTEM	13,258	13,258	13,258	13,258
159 JOINT HIGH SPEED VESSEL (JHSV)	3,082	3,082	3,082	3,082
161 SECURITY AND INTELLIGENCE ACTIVITIES	2,144	2,144	2,144	2,144
162 INFORMATION SYSTEMS SECURITY PROGRAM	74,355	74,355	61,455	58,955
163 GLOBAL COMBAT SUPPORT SYSTEM	144,733	144,733	144,733	144,733
164 SATCOM GROUND ENVIRONMENT (SPACE)	40,097	40,097	40,097	40,097
165 WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	12,034	12,034	12,034	12,034

(In thousands of dollars)

	Budget	House	Senate	Recommendation
166 JOINT COMMAND AND CONTROL PROGRAM (JC2)	20,365	20,365	---	---
167 TACTICAL UNMANNED AERIAL VEHICLES	202,521	172,521	172,124	173,521
168 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	188,414	188,414	189,714	189,454
170 AERIAL COMMON SENSOR (ACS)	210,035	210,035	---	116,035
172 END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	68,466	94,466	85,766	103,406
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,882,888	1,820,888	1,640,107	1,751,529
999 CLASSIFIED PROGRAMS	3,883	47,383	3,883	26,683
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	10,438,218	11,151,884	10,653,126	11,474,180

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Recommendation
2	DEFENSE RESEARCH SCIENCES	173,024	196,074	183,324	198,504
	Cyber Threat Analytics		3,000		2,400
	Organic Semiconductor Modeling and Simulation		1,100		880
	Perpetually Available and Secure Information Systems		4,000		3,200
	Maine Center for Toxicology and Environmental Health, Toxic Particles Research and Equipment		2,000		1,600
	Nanocrystal Source Display		950		760
	Secure Open Source Initiative		3,000		2,400
	Sustainable Alternative Energy		2,000		2,000
	Lightweight Polymer Designs for Soldier Combat Optics		1,000		800
	Combat Mental Health Initiative		2,000		1,600
	Vision Integrating Strategies in Ophthalmology and Neurochemistry		4,000	2,000	3,200
	Bioactive Polymers and Coating Systems for Protection Against Bio-Threats			4,500	3,600
	High Frequency Devices and Circuits for Nanotubes and Nanowires			1,800	1,440
	Integrated Flexible Electronics			2,000	1,600
3	UNIVERSITY RESEARCH INITIATIVES	88,421	110,421	87,921	99,921
	Antennas for Unmanned Aerial Vehicles		1,000		1,000
	Collaboration Skills Training for Time-Critical Teams, Squads and Workgroups		2,000		1,600
	Construct Training Program		1,500	2,000	1,600
	Cooperative Developmental Energy Program		2,000		1,600
	Laboratory for Engineered Human Protection		2,000		1,600
	Manufacturing Lab for Next Generation Engineers		2,000		1,600
	Military Family Coping Patterns		500		400
	National Biodefense Training Center (Transferred to line number 30)		5,000		0
	Molecular Electronics for Flash Memory Production (Includes transfer from RDT&E, Navy line number 1)		2,000		2,400
	Science, Technology, Engineering, Mathematics (STEM) at Coppin University		1,000		800
	Battlefield Exercise and Combat Related Spinal Cord Injury Research		3,000		2,400
	V72			-7,500	-7,500
	Burn and Shock Trauma Institute			2,000	1,600
	Hi-Tech Eyes for the Battlefield			2,000	1,600
	Open Source Intelligence for Force Protection and Intelligence Analysis			1,000	800
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	96,144	114,844	103,144	115,944
	Advanced Polymer Systems for Defense Application - Power Generation, Protection and Sensing		3,000		2,400
	Center for Hetero-Functional Materials		1,000		800
	Center for Nanoscale Bio-Sensors as a Defense against Biological Threats		3,000	3,000	3,000
	Development of Enabling Chemical Technologies for Power from Green Sources		1,500		1,200

R-1		Budget Request	House	Senate	Recommendation
	High Performance Computing in Biomedical Engineering and Health Sciences		1,500		1,200
	Intelligent Network-Centric Sensor Development Program		1,500		1,200
	Ink-Based Desktop Electronic Material Technology		2,000		1,600
	Manufacturing and Industrial Technology Center		500		400
	Materials Processing and Applications Development Center of Excellence for Industry		1,500		1,200
	DoD Diabetes Research and Development Initiative (DRDI)		3,200		2,560
	H50/J22 Network Science - fiscal year 2009 execution delays and excessive growth			-6,000	-6,000
	ARL-ONAMI Center for Nanoarchitectures for Enhanced Performance			1,000	800
	Academic Support and Research Compliance for Knowledge Gathering (Transferred from O&M, Army line number 323)				2,000
	Army Material Degradation			800	640
	MEMS Antenna for Wireless Communications Supporting UAVs in the Battlefield			3,000	2,400
	Nanotubes Optimized for Lightweight Exceptional Strength (NOLES)			4,000	3,200
	Visualization for Training and Simulation in Urban Terrains at Fort Knox			1,200	1,200
5	MATERIALS TECHNOLOGY	27,206	68,256	81,806	99,966
	Advanced Composite Research for Vehicles		5,000		4,000
	Advanced Conductivity Program		1,000		1,000
	Advanced Nanocomposite Materials for Lightweight Integrated Armor Systems		2,000		1,600
	Aluminum Armor Project		1,050		840
	Ballistic Armor Research		1,000	4,000	3,200
	Capabilities Expansion of Spinel Transparent Armor Manufacturing		2,000		1,600
	Composite Applied Research and Technology for FCS and Tactical Vehicle Survivability		1,500	4,000	3,200
	Development of Improved Lighter-Weight IED/EFP Armor Solutions		2,000		1,600
	Distributed, Networked, Unmanned Ground Systems		2,000	4,000	3,200
	Dual Stage Variable Energy Absorber		3,000		2,400
	Fused Silica for Large-Format Transparent Armor		4,000		3,200
	High Strength Glass Production and Qualification for Armor Applications		2,000		1,600
	Large-Scale Manufacturing of Revolutionary Nanostructured Materials		1,500		1,200
	Lightweight Metal Alloy Foam for Armor		4,000		3,200
	Modeling and Testing of Next Generation Body Armor		1,500	2,500	2,000
	Multi-Utility Materials for Future Combat Systems		1,000	9,000	7,200
	Nanomanufacturing of Multifunctional Sensors		2,000	4,000	4,000
	One-Step JP-8 Bio-Diesel Fuel		2,000		1,600
	Reactive Materials		1,500		1,200
	Ultra Light Metallic Armor		1,000		800
	Affordable Light-Weight Metal Matrix Composite (MMC) Armor			2,500	2,500

R-1		Budget Request	House	Senate	Recommendation
	Development, Optimization, and Transfer of a Reliable Testing Technology for Materials Designed to Protect Warfighters Against Toxic Chemical Warfare Agents			600	480
	Lattice Block Structures for AM2 Matting Replacement			2,000	1,600
	Materials Technology for LED Lighting Applications			3,000	2,400
	Moldable Fabric Armor (Includes transfer from RDT&E, Defense-Wide line number 18)			2,000	2,240
	Nanoelectronic Memory, Sensor and Energy Devices			7,000	6,300
	Next Generation High Strength Glass Fibers for Ballistic Armor Applications			2,000	1,600
	Next Generation Lightweight Drive System for Army Weapons Systems			2,000	1,600
	Renewable Jet Fuel from Lignocellulosic Feedstocks			3,000	2,400
	Smart Integrated Systems: Materials, Manufacturing Methods, and Structures			1,000	1,000
	Ultrasonic Impact Technology			2,000	2,000
6	SENSORS AND ELECTRONIC SURVIVABILITY	50,641	67,641	58,641	70,641
	Advanced Bonded Diamond for Optical Applications		2,500		2,000
	Advanced Communications for Mobile Networks		4,000		3,200
	Advanced Composite Nickel-Manganese-Cobalt and other Lithium Ion Battery Technologies using Nano Crystal Scission Process		3,000		2,400
	Advanced Detection of Explosives		2,000		1,600
	Advanced Tactical Laser Flashlight		1,000		800
	Next Generation Wearable Video Capture System		1,000		800
	Surveillance Augmentation Vehicle		1,500		1,200
	Terahertz Sensing and Imaging Technology		2,000		1,600
	Advanced UV Light Diode Development			1,000	800
	Diamond Lens Elements for High Powered Laser			1,000	800
	Electronic Keel			2,000	1,600
	Force Protection Radar for Forward Operating Bases			2,000	1,600
	Nanophotonic Devices			2,000	1,600
8	AVIATION TECHNOLOGY	41,332	50,832	44,332	49,532
	Composite Small Main Rotor Blades		3,000	3,000	3,000
	Intensive Quenching for Advanced Weapon Systems		1,500		1,200
	OMNI Active Vibration Control System		3,000		2,400
	Technologies for Military Equipment Replenishment		2,000		1,600
9	ELECTRONIC WARFARE TECHNOLOGY	16,119	24,119	16,119	22,419
	Short Wave Infrared Hostile Fire Indicator for Aircraft		2,000		1,500
	Integrated Information Technology Policy Analysis Research and Technology Commercialization and Management Network		4,000		3,200
	Silver Fox and Manta Unmanned Aerial Systems		2,000		1,600
10	MISSILE TECHNOLOGY	50,716	64,816	65,716	71,296
	Electrically Charged Mesh Defense Net Troop Protection System		7,500		6,000
	Mariah Hypersonic Wind Tunnel Development Program		4,000	9,500	7,600
	Portable Sensor for Toxic Gas Detection		2,600		2,080

R-1		Budget Request	House	Senate	Recommendation
	Novel Endothermic Armor Material for Insensitive Munitions Protection of Tactical Missiles and Tubes			2,500	2,500
	Swarms Defense System			3,000	2,400
11	ADVANCED WEAPONS TECHNOLOGY	19,678	22,678	19,678	22,078
	Integrated Family of Test Equipment V6 Product Improvement Program		3,000		2,400
12	ADVANCED CONCEPTS AND SIMULATION	17,473	26,973	23,473	27,473
	Advanced Live, Virtual, and Constructive Training Systems		3,500		2,800
	Cognitive Based Modeling and Simulation for Tactical Decision Support		2,000		1,600
	Compact Biothreat Rapid Analysis Concept		3,000	6,000	4,800
	Protective Gear Development through Man-In-Simulant-Test Chamber		1,000		800
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	55,937	74,437	66,437	79,337
	Advanced Composite Materials Research for Land, Marine, and Air Vehicles		3,500		2,800
	Automotive Technology Tactical Metal Fabrication System		2,500		2,500
	Automotive Tribology Center		2,000		1,600
	Nanofluid Coolants		500	500	500
	Smart Oil Sensor		3,000		2,400
	Tactical Metal Fabrication System (TacFab)		1,000		800
	Turbo Fuel Cell Engine		4,000		3,200
	Ultra Light Weight Transmissions		2,000		1,600
	Vehicle Systems Engineering and Integration Activities			10,000	8,000
14	BALLISTICS TECHNOLOGY	61,843	79,843	64,843	78,443
	Advanced Composite Armor for Force Protection		2,000		1,600
	Beneficial Infrastructure for Rotorcraft Risk Reduction		1,000		800
	Direct Carbon Fuel Cell		3,500		2,800
	Enabling Optimization of Reactive Armor		3,000	3,000	3,000
	Eye-Safe Standoff Fusion Detection of CBE Threats		2,500		2,000
	Flexible Solar Cell for Man-portable Power Generator		1,000		800
	SHARK Precision Guided Artillery Round - 105mm		5,000		4,000
	EMG - lack of authorization			-2,000	0
	5.56mm Aluminum Cartridge Case			2,000	1,600
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	5,293	13,293	7,293	13,693
	Highlander Electro-Optical Sensors		2,000		1,600
	Locating and Tracking Explosive Threats with Wireless Sensors and Networks		6,000		4,800
	Missouri Multi-Threat Detection Initiative (M2TDI)			2,000	2,000
17	WEAPONS AND MUNITIONS TECHNOLOGY	41,085	124,585	88,985	145,625
	Advanced Rarefaction Weapon Engineered System		4,000		3,200
	Advanced Technology, Energy Manufacturing Sciences		7,000		7,000
	Air Drop Mortar Guided Munition for the Tactical UAV		3,000		2,400
	Armament System Engineering and Integration Initiative		2,000		1,600
	Armaments Academy		3,000		3,000

R-1		Budget Request	House	Senate	Recommendation
	Army Center of Excellence in Acoustics, National Center for Physical Acoustics		4,000	4,100	4,000
	Defense Support for Civil Authorities for Key Resource Protection		1,000		800
	Developmental Mission Integration		7,000		5,600
	Effects Based Operations Decision Support Services		2,000		1,600
	Green Armament and RangeSafe Technology Initiatives		2,000		1,600
	Highly Integrated Lethality Systems Development		4,000		4,000
	Highly Integrated Production for Expediting Reset		2,500		2,000
	Mortar Anti-Personnel/Anti-Materiel Technology		4,000		3,200
	Project National Shield Integration Center		1,500		1,200
	Rare Earth Mining Separation and Metal Production		3,000		2,400
	Rapid Response Force Projection Systems		2,000		1,600
	Reliability and Affordability Enhancement for Precision Guided Munition Systems		6,000		4,800
	Scaleable Efficient Power for Armament Systems and Vehicles Dual Use		5,000		4,000
	Specialized Compact Automated Mechanical Clearance Platform		4,000		3,200
	Tamper Proof Organic Packaging as Applied to Remote Armament Systems		6,000		4,800
	Technology Development at the Quad Cities Manufacturing Laboratory (Transferred to line number 32)		2,000		0
	Threat Detection and Neutralization		4,000		3,200
	Tungsten Heavy Alloy Penetrator and Warhead Development		1,500		1,200
	Accelerated Materials Development for Army Cannon Systems			3,000	2,400
	Acoustic Gun Detection System for Tracked Combat Vehicles			2,000	1,600
	Advanced Materials and Process for Armament Structures (AMPAS)			4,000	3,200
	Building a Unified Information Framework			2,000	1,600
	Center for Borane Technology			2,000	2,000
	Exploding Foil Initiators (EFI) with Nanomaterial-Based Circuits			3,000	2,400
	Kinetic Energy Enhanced Lethality and Protection Materials			2,000	2,000
	Laser-Guided Energy (LGE) Demonstrator			2,800	2,240
	Multifunctional Nanomaterials for Homeland Defense, Counter-Terrorism and Dual-Use Applications			2,500	2,000
	Nanotechnology Enterprise Consortium (NTEC)			5,000	5,000
	Perimeter Security Systems			5,000	4,500
	Projectile Unmanned Aerial Systems		3,000	2,000	2,400
	Ripsaw Unmanned Ground Vehicle (UGV) Weaponization			2,500	2,000
	Titanium Extraction, Mining and Process Engineering Research			6,000	4,800
18	ELECTRONICS AND ELECTRONIC DEVICES	61,404	115,454	107,204	135,234
	Advanced Flexible Solar Photovoltaic Technologies		3,000		2,400
	Advanced Power Generation Unit for Military Applications		650		650

R-1	Budget Request	House	Senate	Recommendation
Advanced Power Source for Future Soldiers		1,500		1,200
Bio Battery		1,000		800
Program Increase - SOF Technology Insertion		10,000		6,000
Portable Fuel Cell Power Source		3,000		2,400
High-Volume Manufacturing Development for Thin-film Lithium Stack Battery Technologies		1,000		800
Integrated Lightweight Tracker System		2,000		2,000
Intelligent Energy Control Systems		3,000		2,400
Internal Base Facility Energy Independence		3,200		2,560
Large Format Li-Ion Battery		600	6,200	4,960
Market Viable, Dual-Use, Advanced Energy Storage Solutions Development		5,000		4,000
Micromachined Switches in Support of Transformational Communications Architecture		3,000		2,400
Mid-Infrared Super Continuum Laser		1,000		800
Military Fuel Cell Genset Technology Demonstration		2,500		2,000
Multi-Campus Base Facility Energy Independence		4,000		3,200
Novel Zinc Air Power Sources for Military Applications		2,500		2,000
ONAMI Miniaturized Tactical Energy Systems Development		2,500	3,000	2,500
Printed and Conformal Electronics for Military Applications		2,000		1,600
Soldier Situational Awareness Wristband		1,400		1,120
Solid Oxide Fuel Cell Powered Tactical Charger		1,200		960
Unmanned System Algorithm Development		4,000		3,200
Unjustified program growth		-5,000		-5,000
Tactical Cogeneration System		1,000	3,000	2,400
Advanced Hybrid Chemistry for Portable Power			3,200	2,560
Advanced Soldier-Portable Power Systems Technologies			3,100	2,480
Advanced Wearable Power System Manufacturing			2,000	1,600
Army Asset Visibility Enhancement			1,000	800
Ceramic Membrane – 10(X) Times More Energy for Battery Systems			3,000	2,400
Cogeneration for Enhanced Cooling and Heating of Advanced Tactical Vehicles			4,000	3,200
Eye Safe Laser Range Finder			3,000	2,400
High-Frequency, High-Power Electronic and Optoelectronic Devices on Aluminum Nitride (AIN)			4,000	3,200
Light Weight Nanophosphate Battery with Improved Energy Density			3,000	2,000
Maryland Proof of Concept Alliance for Defense Technologies			2,000	1,600
Self Powered, Lightweight, Flexible Display Unit on a Plastic Substrate			3,800	3,040
Stabilized Enzyme Biofuel Cell (SEBC) for Unmanned Ground Sensors			1,500	1,200
19 NIGHT VISION TECHNOLOGY	26,893	48,893	35,893	51,143
IR-Vascular Facial Fingerprinting		3,000		2,400
Next Generation Communications System		1,000		800
Personal Miniature Thermal Viewer		1,000		800
Program Increase		11,000		8,250
Standoff Improvised Explosive Detection Program		6,000		4,800
Materials for Infrared Night Vision Equipment			9,000	7,200

R-1		Budget Request	House	Senate	Recommendation
20	COUNTERMINE SYSTEMS	18,945	20,945	22,945	23,745
	Spectroscopic Materials Identification Center		2,000		1,600
	Standoff Sensors, Detection of Explosives and Explosive Devices (IEDs)			4,000	3,200
21	HUMAN FACTORS ENGINEERING TECHNOLOGY	18,605	33,605	18,605	30,605
	Leonard Wood Institute		15,000		12,000
22	ENVIRONMENTAL QUALITY TECHNOLOGY	15,902	19,402	23,402	25,602
	Biowaste-to-Bioenergy Center		2,500		2,000
	Rocket Motor Contained System		1,000		800
	Chemical Materials and Environmental Modeling Project			2,000	2,000
	Cluster Bomb Unit and Combined Effects Munitions Demilitarization			1,000	800
	MLRS Disposal System			2,500	2,500
	Navy Gun Ammunition Demilitarization and Recycling			2,000	1,600
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	24,833	31,533	24,833	30,193
	Command, Control, Communications Technology		2,000		1,600
	Lightweight 10-meter Antenna Mast		2,500		2,000
	Mobile Mesh Network Node		2,200		1,760
25	MILITARY ENGINEERING TECHNOLOGY	54,818	61,918	57,818	61,098
	Cellulose Nanocomposites Panels for Ballistic Protection		2,000		1,600
	Environmentally Intelligent Moisture and Corrosion Control for Concrete		2,100		1,680
	Geosciences/Atmospheric Research		3,000	3,000	3,000
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,701	18,701	16,701	16,701
	Premature Growth			-2,000	-2,000
27	WARFIGHTER TECHNOLOGY	27,109	31,909	38,109	38,549
	Improved Thermal Resistant Nylon for Enhanced Durability and Thermal Protection in Combat Uniforms		1,500	4,000	3,200
	Injection Molded Ceramic Body Armor		1,000		800
	Joint Precision Airdrop Systems-Wind Profiling Portable Radar		2,300		1,840
	Biosecurity Research for Soldier Food Safety			2,000	1,600
	Carbon Nanotube Production			2,000	1,600
	Nano-enabled Ultra High Storage Density Non-volatile Memory for Commander's Digital Assistant			3,000	2,400
28	MEDICAL TECHNOLOGY	99,027	195,942	165,387	223,107
	Advanced Bio-Engineering for Enhancement of Soldier Survivability		3,000	2,500	2,500
	Advanced Functional Nanomaterials for Biological Processes		2,500	2,400	2,400
	Aliginate Oligomers to Treat Infectious Microbial Biofilms		2,000		1,600
	Battlefield Research Accelerating Virtual Environments for Military Individual Neuro Disorders (BRAVEMIND)		1,000		1,000

R-1	Budget Request	House	Senate	Recommendation
Protein Hydrogel for Surgical Repair of Battlefield Injuries		1,000		800
Cancer Prevention through Remote Biological Sensing		2,000		1,600
Carbide Derived Carbon for Treatment of Combat Related Sepsis		1,000		800
Center for Bone Repair and Military Readiness		1,500		1,200
Center for Injury Biomechanics		4,000	4,000	4,000
Womens Cancer Genomics Center		3,000		2,400
Clinical Trial to Investigate Efficacy of Human Skin Substitute		1,000		800
Control of Vector-Borne Diseases		3,000		2,400
Diabetes Care in the Military		2,000		1,600
Flu Vaccine Technology Program		1,500		1,200
Epigenetic Disease Research		2,000		1,600
Evaluation of Integrative Approaches to Resilience		2,000		1,600
Extended Duration Silver Wound Dressing - Phase II		1,000		800
Eye Trauma and Visual Restoration		1,000		800
Florida Trauma Rehabilitation Institute for Returning Military Personnel		3,000		2,400
Framework for Electronic Health Record-Linked Predictive Models		3,000		2,400
Human Organ and Tissue Preservation Technology		2,000		1,600
Improving Soldier Recovery from Catastrophic Bone Injuries		4,000	3,000	3,200
Jackson Health System Military Trauma Training Enhancement Initiative		2,500		2,000
Lifestyle Modifications to Reduce Chronic Disease in Military Personnel		1,500		1,500
Lightweight, Battery Driven, and Battlefield Deployment Ready NG Feeding Tube Cleaner		500		500
Myositis Association-exposure to environmental toxins		1,250		1,000
Nanofiber Based Synthetic Bone Repair Device for Limb Salvage		1,000		1,000
Nano-Imaging Agents for Early Disease Detection		1,000		800
National Eye Evaluation and Research Network		3,000		2,400
Neuro-Performance Research		2,000		1,600
Neuroscience Research Consortium to Study Spinal Cord Injury		1,500		1,200
New York Medical College Bioterorism Research		165		132
Non-Leaching Antimicrobial Surface for Orthopedic Devices		1,500		1,200
Operating Room of the Future (Includes transfer from Defense Health Program RDT&E)		2,500		2,000
Portable Low-Volume Therapy for Severe Blood Loss		2,000		1,600
Positron Capture and Storage (Transferred to line number 54)		1,500		0
Rapid Wound Healing Cell Technology		2,500		2,000
Regenerative Medicine Research		2,000		1,600
Research to Develop Strategies to Improve Prognosis of Soldiers Suffering Abdominal Trauma		2,000		1,600
Research to Treat Cancerous Brain Tumors using Neural Stem Cells		2,000		1,600
School of Nursing Advancement		2,000		2,000

R-1		Budget Request	House	Senate	Recommendation
	Self Powered Prosthetic Limb Technology		2,000	1,000	1,600
	Synchrotron-Based Scanning Research Neuroscience and Proton Institute		6,000		6,000
	Technology Solutions for Brain Cancer Detection and Treatment		1,500		1,200
	Understanding Blast Induced Brain Injury		3,000		2,400
	University of Miami Ryder Trauma Center/ William Lehman Injury Research Center		4,000		3,200
	Westchester County Medical Center Health Imaging Upgrades		1,500		1,200
	Biometric Signature and Passive Physiological Monitoring (Transferred to RDT&E, Air Force line number 238)			5,000	0
	Center for Advanced Emergency Response (Transferred from RDT&E, Defense-Wide line number 32)				4,000
	Center for Engineered Biomedical Devices			360	288
	Center for Respiratory Biodefense			3,000	2,400
	Cleveland Clinic Rehabilitation Research			1,000	800
	Complimentary and Alternative Medicine Research for Military Operations and Healthcare (MIL-CAM)			6,500	5,200
	Development of Drugs for Malaria and Leishmaniasis			3,400	3,120
	Expansion and Development of Bionic Limbs for US Military Personnel			2,500	2,000
	Identification of New Drug Targets in Multi-Drug Resistant Bacterial Infections (Includes transfer from RDT&E, Defense-Wide line number 26)			2,500	2,000
	Lightweight Medical Devices			2,000	1,600
	Long-term Pain and Infection Management for Combat Casualty Care			2,900	2,320
	Military Family Empowerment Initiative			1,000	800
	Minimizing Shock in Battlefield Injuries			1,900	1,900
	New Vaccines to Fight Respiratory Disease and Central Nervous Disorders			6,000	4,800
	Online Health Services Optimization			3,900	3,120
	Optical Neural Techniques for Combat and Post-Trauma Healthcare			4,000	3,500
	Regenerative Medicine for Battlefield Injuries			1,000	1,000
	Stabilized Hemoglobin Wound Healing Development			1,500	1,200
	SupportNet for Frontline Providers			3,000	2,400
	The Center for Neuroprosthetics and BioMEMS			2,000	1,600
29	WARFIGHTER ADVANCED TECHNOLOGY	37,574	54,524	41,874	54,574
	Advanced Packaging Materials for Combat Rations		1,000		800
	Compostable and Recyclable Fiberboard Material for Secondary Packaging		2,500		2,000
	Multi-layer Co-extrusion for High Performance Packaging		2,000		1,600
	Next Generation Precision Airdrop System		2,500		2,000
	Precision Guided Airdropped Equipment		1,500		1,200
	Predictive Casting Process Modeling for Rapid Production of Critical Defense Components		2,000		1,600
	Reducing First Responder Casualties with Physiological Monitoring		1,500		1,200

R-1		Budget Request	House	Senate	Recommendation
	Remote Environmental Monitoring and Diagnostics in the Perishables Supply Chain		2,750		2,200
	Soldier Personal Cooling System		1,200		960
	High Pressure Pasteurization and Pressure Assisted Thermal Sterilization Project			4,300	3,440
30	MEDICAL ADVANCED TECHNOLOGY		301,866	196,040	341,531
	Advanced Cancer Genome Institute		2,500		2,000
	Advanced Diagnostic and Therapeutic Digital Technologies		2,000		1,600
	Advanced Military Wound Healing Research and Treatment		1,000		800
	Alliance for Nanohealth		5,000		4,000
	ALS Therapy Development Institute -Gulf War Illness Reseach Project		2,000		1,600
	Anti-Microbial Bone Graft Product		2,000		1,600
	Antioxidant Micronutrient Therapeutic Countermeasures		1,000		800
	Automated Portable Field System for Rapid Detection and Diagnosis of Endemic Diseases and Other Pathogens		2,000		1,600
	Battlefield Nursing		2,000		1,600
	Battlefield Related Injury Translational Research Strategies		2,250		1,800
	Bio-Printing of Skin for Battlefield Burn Repairs		1,000	2,000	2,000
	Blood and Bone Marrow Collection Fellowship		2,500		2,000
	Blood Safety and Decontamination Technology		3,000		2,400
	Brain Interventional Surgical Hybrid Initiative		3,000		2,400
	Brain Safety Net		3,000		2,400
	Breast Cancer Medical Information Network Decision Support		1,000		800
	Cellular Therapy for Battlefield Wounds		3,500		2,800
	Center for Cancer Immunology Research		2,000		1,600
	Center for Genetic Origins of Cancer		2,500		2,000
	Center for Integration of Medicine and Innovative Technology		9,000	10,000	9,000
	Center for Ophthalmic Innovation		3,000		2,400
	Center of Excellence in Infectious Diseases and Human Microbiome		3,000		2,400
	Center for Virtual Reality Medical Simulation Training		1,500		1,200
	Clinical Technology Integration for Military Health		2,000		1,600
	Chronic Tinnitus Treatment Program		1,000		800
	Collagen-Based Wound Dressing		1,000		800
	Combat Wound Initiative		3,000		2,400
	Customized Nursing Programs for Fort Benning		2,000		1,600
	Enhancing Military Ophthalmic Education and Overcoming Urban Healthcare Disparities with Telemedicine		3,000		2,400
	Enhancing Wound Healing, Tissue Regeneration, and Biomarker Discovery		2,500	2,000	2,000
	Exceptional Family Transitional Training Program for US Military Soldiers, Sailors, Marines and Airmen		800		640
	Hadron Particle Therapy		2,000		1,600
	Human Genomics, Molecular Epidemiology, and Clinical Diagnostics for Infectious Diseases		1,500		1,200
	Health Disparities in Troop Readiness		8,000		8,000
	Imaging and Cognitive Evaluation of Soldiers		800		640

R-1	Budget Request	House	Senate	Recommendation
Infection Prevention Program for Battlefield Wounds		2,000		1,600
Infectious and Airborne Pathogen Reduction		2,800		2,240
Institute for Simulation and Interprofessional Studies		5,800		4,640
Advancement of Bloodless Medicine		1,866		1,493
Intelligent Orthopedic Fracture Implant Program		1,000		800
Integrated Patient Electronic Record System		2,000		1,600
Joint Medical Simulation Technology Center (Transferred to line number 38)		1,600		0
Linear Accelerator Cancer Research Project		1,000		800
Maine Institute for Human Genetics and Health		2,000		1,600
Malaria Vaccine Development		2,000	5,000	4,000
Marty Driesler Lung Cancer Project		2,000		1,600
Mass Casualty First Responders Disaster Surge Technology Program		3,000		2,400
Medical Biosurveillance and Efficiency Program		2,000		1,600
Medical Errors Reduction Initiative		2,500		2,000
Microencapsulation and Vaccine Delivery Research		1,000		800
Midwest Traumatic Injury Rehabilitation Center		1,460		1,168
Military Burn Trauma Research Program		2,000	6,000	4,500
Military Low Vision Research		3,000		2,400
Military Drug Management System		3,000		2,400
Military Mental Health Initiative		750		600
Military Pediatric Training and Support		5,000		4,000
Mission Hospital Computerized Physician Order Entry		1,000		800
Mobile Integrated Diagnostic and Data Analysis		2,000		1,600
Montefiore Critical Looking Glass		1,500		1,200
Multiplexed Human Fungal Infection Diagnostic		2,000		1,600
Musculoskeletal Interdisciplinary Research Initiative		2,000		1,600
National Biodefense Training Center (Includes transfer from line number 3)			5,000	5,000
National Functional Genomics Center		6,000		6,000
National Oncogenomics and Molecular Imaging Center		5,950		4,760
Northern Illinois Proton Treatment and Research Center		3,500		2,800
NAU-TGen North Dangerous Pathogens DNA Forensics Center Upgrades		2,000		1,600
Near Infrared Spectroscopy Military Personnel Assessment		1,000		800
Neural Control of External Devices		1,000	2,000	2,000
Neuroimaging and Neuropsychiatric Trauma in US Warfighters		6,250	5,000	6,250
Nursing Teaching and Leadership Program		1,000		800
Nicholson Center for Surgical Advancement Medical Robotics and Simulation		5,250		4,200
Personal Status Monitor		1,000		800
Nurse Education Center of Excellence for Remote and Medically Underserved Populations		2,000		1,600
Operation Re-Entry NC		3,000	2,000	2,400
Parsons Institute for Information Mapping		1,500		1,200
Pediatric Cancer Research and Clinical Trials		2,000		1,600
Plant-Based Vaccine Research		2,500		2,000
Plug-In Architecture for DOD Medical Imaging		1,500		1,200
Power Efficient Microdisplay Development for US Army Night Vision		3,000		2,400

R-1	Budget Request	House	Senate	Recommendation
Prader Willi Syndrome Research		2,000		1,600
Pride Center for America's Wounded Veterans		2,000		1,600
Remote Bio-Medical Detector		3,500		2,800
Rural Health Center of Excellence for Remote and Medically Underserved Populations		2,000		1,600
Sensor Tape Physiological Monitoring		2,500		2,000
Smart Wound Dressing for MRSA Infected Battlefield Wounds		1,000		800
Spinal Cord Restoration Therapies		1,000	2,000	1,600
Spinal Muscular Atrophy Research Program		3,000		3,000
Stress Disorders Research Initiative at Fort Hood		3,000		2,400
Dermal Matrix Research		2,000	2,000	2,000
Techniques to Manage Noncompressible Hemorrhage Following Combat Injury		2,500		2,000
Telepharmacy Robotic Medicine Device Unit		1,000		800
Testing of Microneedle Device for Multiple Applications		1,200		960
Translational Research for Muscular Dystrophy		2,000		1,600
Transportable Renal Replacement Therapy for Battlefield Applications		1,000		800
Trauma Response Simulation Training (Transferred from O&M, Army National Guard line number 131)				1,200
Treatment of Battlefield Spinal Cord and Burn Injuries		450		360
VTOL Man-Rated UAV and UGV for Medical Multi-Missions and CASEVAC		1,000		800
Vanadium Safety Readiness		4,200		3,360
Wounded Servicemember Bioelectrics Research		1,500	1,000	1,200
101st Airborne/Air Assault Injury Prevention and Performance Enhancement Initiative			3,000	3,000
Advanced Lower Limb Prostheses for Battlefield Amputees			4,000	3,200
Advanced Regenerative Medicine Therapies for Combat Injuries			4,000	3,200
Bio-Surveillance in a Highly Mobile Population			2,000	1,600
Blood, Medical and Food Safetly via Eco-Friendly Wireless Sensing (Phase II)			2,000	1,600
Clinical Development of a Norovirus Gastroenteritis Vaccine			4,500	3,600
Cooperative International Neuromuscular Research Group (CINRG)			4,100	3,280
Countermeasures to Hemorrhaging (Liquid Bandage and Tissue Regeneration)			7,200	5,760
Fibrin Adhesive Stat (FAST) Dressing			3,000	2,400
Health Sciences Regenerative Medicine Center - Autologous Tissues Research			4,000	3,200
Highly Functional Neurally Controlled Skeletally Attached and Intelligent Prosthetic Devices			3,800	3,040
Identification of Pain Mechanisms and Therapeutic Targets			1,000	800
In-Field Body Temperature Conditioner			3,000	2,400
Military Medical Decontamination System			4,500	4,500
Military Nutrition Research: Four Tasks to Address Personnel Readiness			1,000	800
Mobile Aerosol Monitoring System for the Department of Defense			1,500	1,200

R-1		Budget Request	House	Senate	Recommendation
	Multi-Dose Closed Loop pH Monitoring System for Platelets			2,000	1,600
	Rapid Burn Wound Therapies			2,000	2,000
	Regenerative Medicine for Acute Deafness			3,000	2,400
	Rugged Electronic Textile Vital Signs Monitoring			3,000	2,400
	Silicon Nanomaterial for Battlefield Medical Devices			3,500	2,800
	Staph Vaccine			8,000	6,400
	Trauma Care, Research and Training			3,000	2,400
	US Army Vascular Graft Research Project			2,000	1,600
31	AVIATION ADVANCED TECHNOLOGY	60,097	87,097	104,697	112,977
	Advanced Affordable Turbine Engine Program		4,000	5,000	4,000
	Crewmember Alert Display Development Program		2,000		1,600
	Drive System Composite Structural Component Risk Reduction Program		3,000		2,400
	Fighting Combat-Related Fatigue Syndrome		1,000		800
	Inter Turbine Burner for Turbo Shaft Engines		3,000		2,400
	Next Generation Green, Economical and Automated Production of Composite Structures for Aerospace		1,000		1,000
	Qualification and Insertion of New High Temperature Domestic Sourced PES for Military Aircraft		3,000		2,400
	Heavy Fuel Engine Family for Unmanned Systems		4,000		3,200
	UH-60 Transmission/Gearbox Galvanic Corrosion Reduction		1,500	1,500	1,500
	Wireless HUMS for Condition Based Maintenance of Army Helicopters		2,000		1,600
	Universal Control		2,500	9,000	7,200
	Autonomous Cargo Acquisition for Rotorcraft Unmanned Aerial Vehicles			1,600	1,280
	Enhanced-Rapid Tactical Integration for Fielding of Systems Initiative			3,900	3,120
	Parts-on-Demand from CONUS Operations			5,000	4,500
	Robust Composite Structural Core for Army Helicopters			2,000	1,600
	Transitioning Stretch Broken Carbon Fiber to Production Programs			4,000	3,200
	Unmanned Aerial Systems Ground Based Sense and Avoid Capability Development for Integration into the National Air Space			3,600	2,880
	Unmanned Aerial Vehicle Resupply (UAVR) - BURRO			4,000	3,200
	Vectored Thrust Ducted Compound Helicopter			5,000	5,000
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	66,410	89,910	71,210	90,330
	Advanced Lightweight Gunner Protection Kit for Lightweight MRAP Vehicle		1,000		800
	Lens-Less Dual-Mode Micro Seeker for Medium-Caliber Guided Projectiles		2,500		2,000
	Lightweight Munitions and Surveillance System for Unmanned Air and Ground Vehicles		4,800		3,840
	Micro Inertial Navigation Unit Technology		1,500		1,200
	Nanotechnology Fuze		2,000		1,600
	Next Generation Machining Technology and Equipment		2,000		1,600
	Rapid Insertion of Developmental Technologies into Fielded Systems		2,000		1,600

R-1		Budget Request	House	Senate	Recommendation
	Recovery, Recycle, and Reuse of DOE Metals for DoD Applications (Transferred to RDT&E, Defense-Wide line number 26)		2,400		0
	Soldier Protection through Unmanned Ground Vehicles		1,500		1,200
	Titanium Powder Advanced Forged Parts Program		3,800		3,040
	EMG - lack of authorization			-11,500	-5,500
	Biosensor, Communicator and Controller System			3,500	3,500
	Advanced Prototyping with Non Traditional Suppliers			1,500	0
	Advanced Robot and Sensor Technology for Surveillance and Energy Efficiency Applications			1,500	1,200
	Lightweight Reliable Materials for Military Systems			3,500	2,800
	Technology Development at the Quad Cities Manufacturing Laboratory (Includes transfer from line number 17)			6,300	5,040
33	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	89,586	162,186	182,886	241,446
	Advanced Battery Materials and Manufacturing		5,000		4,000
	Advanced Carbon Hybrid Battery for Hybrid Electric Vehicles		1,000		800
	Advanced Composites for Light Weight, Low Cost Transportation Systems using a 3+ Ring Extruder		3,000		2,400
	Advanced Digital Hydraulic Drive System		2,500		2,000
	Advanced Lightweight Multifunctional Multi-Threat Composite Armor Material Technology		3,000		2,400
	Advanced Lithium Ion Phosphate Battery System for Army Combat Hybrid HMMWV and Other Army Vehicle Platforms		2,000	3,000	2,400
	Advanced Technology for Energy Storage		2,000		1,600
	Advanced Thermal Management System		3,000		2,400
	All Composite Bus Program		2,500		2,000
	Ceramic and Metal Matrix Composites Armor Development using Ring Extruder Technology		1,000		800
	Army Vehicle Condition Based Maintenance		5,000		4,000
	Electric All Terrain Ultra Light Vehicle for the Minnesota National Guard		2,000		1,600
	Fire Shield		4,000		3,200
	Friction Stir Welding Program		3,000		2,400
	Fuel System Component Technology Research		2,000		1,600
	Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model		3,500		2,800
	Hybrid Electric Drive All Terrain Vehicle		2,000		1,600
	Hybrid Electric Heavy Truck Vehicle		2,000		1,600
	Integrated Defense Technical Information		2,000		1,600
	Logistical Fuel Processors Development		1,500		1,200
	Networked Reliability and Safety Early Evaluation System		2,000		1,600
	Protective 3-D Armor Structure to Safeguard Military Vehicles and Troops		2,000		1,600
	Smart Plug-In Hybrid Vehicle Program		4,100	3,000	3,280
	Silent Watch, IB NPS 1160 Lithium-Ion Advanced Battery		1,000		800
	Superlattice Semiconductors for Mobile SS Lighting and Solar Power Applications		3,500		2,800

R-1		Budget Request	House	Senate	Recommendation
	Unmanned Robotic System Utilizing a Hydrocarbon Fueled Solid Oxide Fuel Cell System		3,000		2,400
	Program Increase		5,000		3,750
	30-Kilowatt Auxiliary Power Unit for Armored Combat Vehicles			2,000	1,600
	Advanced Battery Development Program			10,000	9,000
	Advanced Corrosion Protection for Military Vehicles and Equipment			3,000	2,400
	Advanced Suspension System For Heavy Vehicles			2,700	2,160
	Alternative Energy Advanced Technology Development/Demonstration (Transferred from line number 42)				18,250
	All Composite Lightweight Military Vehicle			2,000	1,600
	Antiballistic Windshield Armor			3,000	2,400
	Compact 10 Kilowatt Generator Set for Army and Marine Combat Vehicles			2,000	1,600
	Defense Advanced Transportation Technology Program Hybrid Truck Users Forum			6,000	4,800
	Enhanced Military Vehicle Maintenance System Demonstration Project			2,800	2,800
	Field Deployable Fleet Hydrogen Fueling			3,000	2,400
	Future Tactical Truck Carbon Composite Shelter and Retrofit of Current Vehicle Shelters			2,000	1,600
	Ground-forces Readiness Enabler for Advanced Tactical Vehicles (GREAT-V)			1,000	800
	Hybrid Engine Development Program			4,000	3,200
	Hydraulic Hybrid Vehicles for the Tactical Wheeled Fleet			3,500	2,800
	JAMMA Family of Vehicles			1,000	800
	Military Installation Electric Vehicle Demonstration Project			2,000	1,600
	On-Board Vehicle Power Systems Development			3,100	2,480
	Plug-in Hybrid Electric Vehicle			4,000	4,000
	Pre-Discharge Threat Cues			2,000	1,600
	Simulation Based Reliability and Safety (SimBRS) Program			4,900	4,900
	Unmanned Ground Vehicle Initiative			12,000	11,000
	VePro - Vehicle Health Usage Monitoring and Prognostics			3,100	2,880
	VSIL: Armored Vehicle Components and Systems Simulated In Cost-Effective Virtual Design and Test Environment			4,000	3,200
	Zouline Armor			4,200	3,360
34	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	8,667	13,667	8,667	12,417
	Program Increase		5,000		3,750
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,458	57,258	58,458	57,498
	Applied Communication and Information Networking		3,800	3,000	3,040
	Portable Mobile Emergency Broadband Systems		3,000	4,000	3,200
	Cybersecurity in Tactical Environments			1,000	800

R-1		Budget Request	House	Senate	Recommendation
38	NEXT GENERATION TRAINING AND SIMULATION SYSTEMS	19,415	23,915	22,415	25,495
	Combat Medic Trainer		2,000	2,000	2,000
	Joint Fires and Effects Trainer System Enhancements		2,500		2,000
	Joint Medical Simulation Technology Center (Transferred from line number 30)				1,280
	HapMed Combat Medic Trainer			1,000	800
40	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	0	3,500	12,200	12,560
	Advanced Reactive Armor Systems		2,000		1,600
	Zumwalt National Program for Countermeasures to Biological and Chemical Threats		1,500		1,200
	Cryofracture/Plasma Arc Demilitarization Program			8,000	6,400
	Ultra Wideband Active RF Detection of IEDs			2,200	1,760
	Unserviceable Ammunition Demilitarization via Chemical Dissolution at Tooele Army Depot			2,000	1,600
41	MILITARY HIV RESEARCH	6,657	29,657	6,657	29,657
	HIV Prevention and Reducing Risk to US Military Personnel		3,000		3,000
	Program Increase		20,000		20,000
42	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	11,989	11,989	36,989	11,989
	Alternative Energy Advanced Technology Development/Demonstration (Transferred to line number 33)			25,000	0
43	ELECTRONIC WARFARE TECHNOLOGY	19,192	22,692	19,192	21,992
	Advanced Ground EW and Signals Intelligence System		2,500		2,000
	AN/ALQ 211 Networked EW Controller		1,000		800
44	MISSILE AND ROCKET ADVANCED TECHNOLOGY	63,951	75,751	79,451	87,011
	Anti-Tamper Research and Development		3,800		3,040
	Captive Carry Sensor Test-Bed		3,000		2,400
	Foil Bearing Suppported UAV Engine		1,000		800
	Waterside Wide Area Tactical Coverage and Homing		4,000		3,200
	Advanced Commercial Technology Insertion			3,100	3,100
	Army Responsive Tactical Space System Exerciser			3,000	3,000
	Long Range Hypersonic Interceptor			2,000	1,600
	Rapid Response Hostile Fire Detection and Active Protection of Ground and Air Vehicles Sensor Demonstration			3,200	2,560
	Scenario Generation for Integrated Air and Missile Defense Evaluation			4,200	3,360
46	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	30,317	30,317	36,217	35,037
	Advanced Demining Technology			5,900	4,720
48	NIGHT VISION ADVANCED TECHNOLOGY	40,329	64,829	57,329	72,629
	Brownout Situational Awareness Sensor		3,000		2,400
	Buster/Blacklight UAV Development		1,000		800
	Enhanced Driver Situational Awareness		1,000		800
	Hyper Spectral Sensor for Improved Force Protection		2,000		1,600
	Program Increase		15,000		9,000

R-1		Budget Request	House	Senate	Recommendation
	Night Vision and Electronic Sensors Directorate		2,500		2,000
	Bradley Third Generation FLIR			5,000	4,500
	Compact Airborne Multi-Mission Payload (CAMP) (Transferred from line number 51)				1,600
	Microterrain Persistent Surveillance			2,000	1,600
	Smart Sensor Supercomputing Center			10,000	8,000
49	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	15,706	15,706	16,206	16,206
	Permafrost Tunnel			500	500
50	MILITARY ENGINEERING ADVANCED TECHNOLOGY	5,911	45,461	17,511	45,631
	Conversion of Municipal Solid Waste to Renewable Diesel Fuel		3,150		2,520
	Defense Support to Civil Authorities Automated Support System		2,000		1,600
	Demonstration of Thin Film Solar Modules as a Renewable Energy Source		1,000		800
	Distributed Power from Wastewater		2,500		2,000
	Enhancing the Commercial Joint Mapping Toolkit to Support Tactical Military Operations		4,000		3,200
	Field Deployable Hologram Production System		4,800		3,840
	Gas Engine Driven Air Conditioning		3,000		2,400
	Hybrid Energy Systems Design and Testing		2,000		2,000
	Lightweight Protective Roofing		1,500		1,200
	Nanotechnology for Potable Water and Waste Treatment		2,000		1,600
	Optimization of the US Army Topographic Data Management Enterprise		2,600		2,080
	Pacific Command Renewable Energy Security Systems		3,000		2,400
	Ruggedized Military Laptop Fuel Cell Power Supply-Project Phase 3		4,000	2,000	3,200
	University Center for Disaster Preparedness and Emergency Response		1,500		1,200
	Zinc-Flow Electrical Energy Storage		2,500		2,000
	Advanced Tactical Fuels for the US Military			4,000	3,200
	Amorphous Si Flexible Photovoltaics for Grid Parity			2,000	1,600
	Integrated Alternative Power Systems			2,600	2,080
	Natural Gas Firetube Boiler Demonstration			1,000	800
51	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	41,561	60,061	47,061	57,361
	Advanced Radar Transceiver Integrated Circuit Development		1,000		800
	CERDEC Integrated Tool Control System		2,000		1,600
	Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar (FORESTER) Phase II		2,000		1,600
	Intelligence, Surveillance and Reconnaissance (ISR) Simulation Integration Laboratory		2,000		1,600
	Optimizing Natural Language Processing of Open Source Intelligence		1,500		1,200
	Reduced Manning Situational Awareness		5,000		4,000
	Shared Vision		3,000	2,000	2,400
	Video Compression Technology		2,000		1,400

R-1		Budget Request	House	Senate	Recommendation
	Compact Airborne Multi-mission Payload (CAMP) (Transferred to line number 48)			2,000	0
	Mobile Localization (M-LOC)			1,500	1,200
52	UNIQUE ITEM IDENTIFICATION (UID)	0	2,500	0	2,000
	IUID Data Platform		2,500		2,000
53	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	14,683	31,683	74,783	72,163
	Advanced Fuel Cell Research Program		4,000	2,000	3,200
	Alternative Power Technology for Missile Defense		1,000	4,000	3,200
	Biological Air Filtering System Technology		3,000	3,000	3,000
	Compact Pulsed Power Initiative		4,000	3,000	3,200
	Geospatial Airship Research Platform		4,000		3,200
	Remote Explosive Analysis and Detection System		1,000		800
	Adaptive Lightweight Materials Technology for Missile Defense			4,000	3,200
	Adaptive Robotics Technology for Space, Air and Missiles (ART-SAM)			4,200	3,360
	Advanced Cavitation Power Technology			4,800	3,840
	Advanced Electronics Rosebud Integration			3,000	3,000
	Continuous Threat Alert Sensing System (CTASS)			1,700	1,360
	High Speed Digital Imaging			3,000	2,400
	High Temp Polymers for Missile System Applications			4,900	3,920
	On-Board Hybrid Power Unit (OBHPU)			1,300	1,040
	Orion High Altitude Long Endurance UAV Risk Reduction Effort			9,700	7,760
	Standoff Hazardous Agent Detection and Evaluation System			9,000	8,500
	Discriminatory Imaging and Network Advancement for Missiles, Aviation and Space			2,500	2,500
54	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	117,471	120,471	118,671	119,231
	Advanced Power Technologies for Nano-Satellites		2,000		1,600
	Tactical Overwatch High Altitude System		1,000		800
	Space Control - excessive program delays			-10,500	-10,000
	HiSentinel Stratospheric Airship			3,000	2,400
	Low Cost Interceptor			2,100	1,680
	Missile Attack Early Warning System			2,600	2,080
	Nanocomposite Enhanced Radar and Aerospace Materials (NERAM)			1,000	800
	Positron Capture and Storage (Includes transfer from line number 28)			3,000	2,400
55	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	209,531	110,531	211,531	166,931
	Center for Defense Systems Research		1,000		800
	Excessive project cost growth and large unobligated balances		-100,000		-45,000
	Advanced Environmental Control Systems			2,000	1,600
61	SOLDIER SUPPORT AND SURVIVABILITY	31,752	31,752	33,752	33,352
	Squad Mission Support System (SMSS)			2,000	1,600

R-1		Budget Request	House	Senate	Recommendation
62	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - AD	18,228	18,228	12,228	12,228
	Unsustained growth			-6,000	-6,000
64	ENVIRONMENTAL QUALITY TECHNOLOGY	4,770	19,770	6,770	18,470
	Cadmium Emissions Reduction - Letterkenny Army Depot		1,000		1,000
	Program Increase		10,000		7,500
	Renewable Energy Testing Center		1,000		800
	Vanadium Technology Program		3,000		2,400
	Environmental Management Information System (EMIS) (Army requested transfer from O&M, Army line number 131)			2,000	2,000
65	WARFIGHTER INFORMATION NETWORK-TACTICAL	180,673	165,673	180,673	170,673
	Program adjustment for FCS termination		-15,000		-10,000
68	LOGISTICS AND ENGINEER EQUIPMENT - ADVANCED DEVELOPMENT	56,373	57,373	49,873	59,973
	In-Theater Evaluation of Ballistic Protection		1,000		800
	JLTV unjustified growth			-10,000	0
	Expeditionary Water Reclamation Process using Supercritical Water Oxidation			3,500	2,800
70	MEDICAL SYSTEMS - ADVANCED DEVELOPMENT	31,275	37,275	33,275	36,075
	Execution of a Quality Systems Program for FDA Regulation Activities		1,500		1,200
	Model for Green Laboratories and Clean Rooms		1,500		1,200
	Wireless Medical Monitoring System		3,000	2,000	2,400
71	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	71,832	71,007	71,832	74,172
	Unexecutable growth		-5,000		-1,000
	Acid Alkaline Direct Methanol Fuel Cell		2,000		1,600
	Fire Suppression System		1,425		1,140
	Improved HELLHOUND 40mm Low Velocity High Explosive Ammunition		750		600
73	AIRCRAFT AVIONICS	92,977	88,977	92,977	89,977
	Unjustified program growth		-4,000		-3,000
74	ARMED, DEPLOYABLE OH-58D	65,515	70,515	61,236	66,515
	Advanced Composite Ammunition Magazine/Mount System		2,000		1,600
	LW25 Gun System and Demonstration		3,000		2,400
	Kiowa Warrior Replacement funds requested ahead of Analysis of Alternatives completion			-4,279	-3,000
75	ELECTRONIC WARFARE DEVELOPMENT	248,463	248,463	197,463	202,063
	L12 unjustified growth			-18,000	-18,000
	Excessive CIRCM management services			-35,000	-30,000
	Hostile Fire Indicator			2,000	1,600
78	INFANTRY SUPPORT WEAPONS	74,814	76,814	82,814	83,614
	Headborne Energy Analysis and Diagnostic System		2,000		1,600
	Composite Bottles for Survival Egress Air			4,000	4,000
	Lightweight Caliber .50 Machine Gun			4,000	3,200

R-1		Budget Request	House	Senate	Recommendation
81	FAMILY OF HEAVY TACTICAL VEHICLES	7,477	10,477	7,477	9,877
	Mobile Power 30 Kilowatt System Power Control Unit Development Project		1,000		800
	RDT&E for the Family of Heavy Tactical Vehicles (FHTV)		2,000		1,600
83	NON-LINE OF SIGHT LAUNCH SYSTEM	88,660	88,660	92,460	91,700
	NLOS-LS Anti-Tamper Initiative			3,800	3,040
84	NON-LINE OF SIGHT CANNON	58,216	31,216	58,216	48,216
	Unjustified termination costs		-27,000		-10,000
85	FCS MANNED GROUND VEHICLES AND COMMON GROUND VEHICLE	368,557	184,557	368,557	276,557
	Unjustified termination costs		-184,000		-92,000
86	FCS SYSTEMS OF SYSTEMS ENGINEERING AND PROGRAM MANAGEMENT	1,067,191	1,067,191	868,191	917,191
	Contractor fee reduction due to contract restructure			-199,000	-150,000
87	FCS RECONNAISSANCE (UAV) PLATFORMS	68,701	68,701	78,001	75,501
	MQ-8B Fire Scout Army			9,300	6,800
90	FCS SUSTAINMENT & TRAINING R&D	749,182	749,182	567,182	659,182
	Program adjustment			-182,000	-90,000
92	NIGHT VISION SYSTEMS - SDD	55,410	57,910	55,410	57,410
	Standard Ground Station - Enhancement Program		2,500		2,000
102	WEAPONS AND MUNITIONS - SDD	34,878	44,378	69,878	87,478
	Lightweight Packaging System for Enhancing Combat Munitions Logistics		2,000		1,600
	Precision Guidance Kit Technology Development		7,500		6,000
	SLAMRAAM (Transferred from Missile Procurement, Army line number 3)			35,000	45,000
103	LOGISTICS AND ENGINEER EQUIPMENT - SDD	36,018	37,518	36,018	37,218
	Autonomous Sustainment Cargo Container		1,500		1,200
104	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD	88,995	88,995	43,995	58,995
	JBC-P lack of justification			-45,000	-30,000
105	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT	33,893	40,293	37,393	42,013
	Army Portable Oxygen Concentration System		1,500		1,200
	Nanophotonic Biosensor Detection of Bioagents and Pathogens		1,900		1,520
	Plasma Sterilizer		3,000		2,400
	Military Applications for Medical Grade Chitosan			3,500	3,000
106	LANDMINE WARFARE/BARRIER - SDD	82,260	60,960	82,260	72,760
	Program adjustment for FCS termination		-21,300		-9,500
108	COMBAT IDENTIFICATION	20,070	20,070	10,070	10,070
	JCTI-G lack of acquisition strategy			-10,000	-10,000

R-1		Budget Request	House	Senate	Recommendation
109	ARMY TACTICAL COMMAND AND CONTROL HARDWARE AND SOFTWARE	90,864	85,364	78,072	79,864
	Unjustified program growth		-5,500		-3,000
	Fiscal year 2011 operational testing funds requested ahead of need			-12,792	-8,000
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	6,002	6,002	6,002	23,902
	Army requested transfer from Other Procurement, Army line number 118				17,900
114	ARTILLERY SYSTEMS	23,318	34,318	114,818	116,418
	M109A6 Paladin		2,000		1,600
	Program Increase		9,000		0
	Army requested transfer from Weapons and Tracked Combat Vehicles, Army line number 11, for Paladin Integrated Management			91,500	91,500
117	INFORMATION TECHNOLOGY DEVELOPMENT	35,309	35,309	67,109	66,909
	DIMHRS (Transferred from RDT&E, Defense-Wide line number 117)			30,800	30,800
	Electronic Commodity Project			1,000	800
119	MANNED GROUND VEHICLE	100,000	50,000	100,000	80,000
	Unjustified program growth		-50,000		-20,000
120	THREAT SIMULATOR DEVELOPMENT	22,222	30,222	22,222	25,222
	Electronic Combat and Counter Terrorism Threat Developments to Support Joint Forces		3,000		3,000
	Joint Threat Emitters (Transferred to Other Procurement, Air Force line number 28)		5,000		0
123	RAND ARROYO CENTER	16,305	16,305	18,305	17,905
	Rand Arroyo Center			2,000	1,600
125	CONCEPTS EXPERIMENTATION PROGRAM	23,445	23,445	26,945	26,545
	Automated Communications Support Systems for WARFIGHTERS, Intelligence Community, Linguists, and Analysts			1,500	1,500
	Technology for Rapid Foreign Language Acquisition for Specialized Military and Intelligence Purposes			2,000	1,600
128	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	72,911	75,111	86,611	84,831
	Define Renewable Energy Sources for Base Energy Independence		1,000	2,000	1,600
	MOTS All Sky Imager		1,200		960
	Dugway Field Test Improvements			4,500	3,600
	Multiple Source Data Fusion for Dugway Proving Ground			2,500	2,000
	Phase II, Regional Partnership – Ft. Bliss, WSMR, Holloman			4,700	3,760
130	DOD HIGH ENERGY LASER TEST FACILITY	2,891	2,891	8,891	7,391
	High Energy Laser System Test Facility- HELSTF / HELTD			6,000	4,500

R-1		Budget Request	House	Senate	Recommendation
136	ARMY EVALUATION CENTER	66,309	68,309	66,309	67,909
	Tire to Track Transformer System for Light Vehicles		2,000		1,600
140	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	45,053	70,653	56,153	73,233
	Defense Metals Technology Center		2,500		2,000
	Atomized Magnesium Domestic Production Design and Development		2,000		1,600
	Domestic Production of Nanodiamond for Military Applications		2,000		1,600
	Improved Thermal Batteries for Guided Munitions		3,000		2,400
	Joint Munitions and Lethality Mission Integration		2,000		1,600
	Medium Caliber Metal Parts Upgrade		3,100	3,000	3,000
	Nano Advanced Cluster Energetics		2,000		1,600
	Nanotechnology-Enabled Self-Healing Anti-Corrosion Coating Products		2,000		1,400
	Program Increase - Protective Armor Systems		5,000		5,000
	Self-Powered Sensor System for Munition Guidance and Health Monitoring		2,000		1,500
	3D Woven Preform Technology for Army Munitions Applications			2,000	1,600
	Army Range Technology Program (ARTP)			6,100	4,880
146	AEROSTAT JOINT PROJECT OFFICE	360,076	288,076	360,076	330,076
	Funding ahead of need		-72,000		-30,000
147	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	23,727	30,727	23,727	29,327
	Advanced Field Artillery Tactical Data System		4,500		3,600
	Voice Recognition and Cross Platform Speech Interface System		2,500		2,000
148	COMBAT VEHICLE IMPROVEMENT PROGRAMS	190,301	192,301	197,201	197,421
	Current Force Common Active Protection System Radar		2,000		1,600
	Combat Vehicle Electrical Power-21st Century (CVEP-21)			3,900	3,120
	Vibration Management Enhancement Program			3,000	2,400
150	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	209,401	209,401	214,817	214,107
	D18 - JCA PQT and LFT&E non-Army requirements			-984	-984
	UH-60 Aviation Software Performance Assessment Test Bed			6,400	5,690
155	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	0	5,000	0	4,000
	Javelin Warhead Improvement Program		5,000		4,000
162	INFORMATION SYSTEMS SECURITY PROGRAM	74,355	74,355	61,455	58,955
	BEC EMD contract funds requested ahead of need			-10,100	-10,100
	JPIv2 EMD contract funds requested ahead of need			-6,800	-6,800
	Biometrics DNA Applications			4,000	1,500
166	JOINT COMMAND AND CONTROL PROGRAM (JC2)	20,365	20,365	0	0
	NECC program adjustment			-20,365	-20,365

R-1	Budget Request	House	Senate	Recommendation
167 TACTICAL UNMANNED AERIAL VEHICLES	202,521	172,521	172,124	173,521
Unjustified program growth		-30,000		-20,000
UGCS lack of synchronization with Department-wide enterprise			-15,000	-15,000
D09 IOT&E funds requested ahead of need			-22,897	0
4th Generation Wireless Exploitation			3,000	2,400
Shadow TUAS Flight in the National Air Space			2,500	2,000
Tactical UAV, Heavy Fuel Engine			2,000	1,600
168 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	188,414	188,414	189,714	189,454
Heuristic Internet Protocol Packet Inspection Engine (HIPPIE)			1,300	1,040
170 AERIAL COMMON SENSOR (ACS)	210,035	210,035	0	116,035
Program adjustment			-210,035	-94,000
172 END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	68,466	94,466	85,766	103,406
Achieving Lightweight Casting Solutions		2,000		1,600
ARL 3D Model-Based Inspection and Scanning		3,000		2,400
De-Weighting Military Vehicles through Advanced Composites Manufacturing Technology		2,000	3,700	2,960
High Performance Alloy Materials and Advanced Manufacturing of Steel Castings for New Light Weight and Robotic Weapon Systems		3,000		2,400
Lightweight Magnesium Parts for Military Applications		2,000		1,600
National Center for Defense Manufacturing and Machining		2,000		1,600
Network Centric Prototype Manufacturing		4,000		4,000
Polymeric Web Run-Flat Tire Inserts for Convoy Protection		3,500		3,500
Smart Machine Platform Initiative		3,000		2,400
Solid State Processing of Titanium Alloys for Advanced Materiel Armaments		1,500		1,200
Aging and Battle Damaged Weapon Systems Repair			1,500	1,200
Improved Manufacturing Processes Demonstration Program for Army Tactical Vehicles			2,000	1,600
Large Structure Titanium Machining Initiative			1,000	800
Legacy Aerospace Gear Drive Re-Engineering Initiative			2,000	2,000
Precision Strike Munitions Advancement with Integrated Millimeter Wave Power Sources to Satisfy Army Strategic Goals			4,100	3,280
Spinel Transparent Armor Production Technology			1,000	800
Superior Weapons Systems through Castings			2,000	1,600
999 CLASSIFIED PROGRAMS	3,883	47,383	3,883	26,683
Asymmetric Threat Response and Analysis Project		2,500		2,000
Army/Joint STARS Surveillance and Control Data Link Technology Refresh		1,000		800
Classified adjustment		40,000		20,000

ENHANCED MEDIUM ALTITUDE RECONNAISSANCE AND SURVEILLANCE SYSTEM

The fiscal year 2010 budget request includes $210,035,000 in Research, Development, Test and Evaluation, Army to initiate the restructured Aerial Common Sensor (ACS) program. However, the Department of Defense has advised that the ACS has been terminated as a program of record and established in its place the Enhanced Medium Altitude Reconnaissance and Surveillance System (EMARSS), which provides a fixed-wing, multi-sensor, integrated intelligence, surveillance and reconnaissance capability to the warfighter. Additionally, the fiscal year 2010 Overseas Contingency Operations (OCO) budget request includes $105,000,000 to procure EMARSS C–12 aircraft and to modify those aircraft with special mission hardware as a quick reaction capability to satisfy theater-based requirements. The Department based its OCO request on the assumption that ACS would not deliver capability to the war fighter for several years. However, with EMARSS selected as a new program of record in lieu of ACS, the EMARSS quick reaction capability request is duplicative of the program of record, and under current schedules, system deliveries for the program of record are expected shortly after deliveries of the so-called quick reaction capability. Accordingly, the recommendation provides no funding in the OCO title for procurement and modification of C–12 aircraft. In order to establish EMARSS as a program of record while fulfilling urgent theater-based fielding requirements, the recommendation includes $116,035,000 in Research, Development, Test and Evaluation, Army, to fully fund the new EMARSS program of record and to accelerate its fielding while establishing a standardized, sustainable intelligence, surveillance and reconnaissance program.

REPORT ON THE USE OF LIVE PRIMATES IN TRAINING RELATING TO CHEMICAL AND BIOLOGICAL AGENTS

The Secretary of Defense is directed to submit to the congressional defense committees, not later than 90 days after the date of the enactment of this Act, a report setting forth a detailed description of the requirements for use by the Department of Defense of live primates at the United States Army Medical Research Institute of Chemical Defense, and elsewhere, to demonstrate the effects of chemical or biological agents or chemical (such as physiostigmine) or biological agent simulants in training programs. The report shall include, at a minimum, the following:

(1) The number of live primates used in the training;

(2) The average lifespan of primates from the point of introduction into such training programs;

(3) An explanation as to why the use of primates in such training is more advantageous and realistic than the use of human simulators or other alternatives; and

(4) An estimate of the cost of converting from the use of primates to human simulators in such training.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For Research, Development, Test and Evaluation, Navy, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
	BASIC RESEARCH				
1	UNIVERSITY RESEARCH INITIATIVES	99,472	103,472	102,472	102,672
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,076	18,076	18,076	18,076
3	DEFENSE RESEARCH SCIENCES	413,743	426,143	423,643	430,903
	TOTAL, BASIC RESEARCH	531,291	547,691	544,191	551,651
	APPLIED RESEARCH				
4	POWER PROJECTION APPLIED RESEARCH	59,787	68,787	72,287	77,547
5	FORCE PROTECTION APPLIED RESEARCH	91,400	124,900	135,900	146,700
6	MARINE CORPS LANDING FORCE TECHNOLOGY	39,308	39,308	46,808	45,808
7	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	---	3,500	---	2,800
8	COMMON PICTURE APPLIED RESEARCH	83,163	85,963	89,663	90,903
9	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	104,169	104,169	122,569	119,269
10	RF SYSTEMS APPLIED RESEARCH	64,816	68,316	66,816	69,616
11	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	48,750	53,750	51,750	53,950
12	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,008	6,008	6,008	6,008
13	UNDERSEA WARFARE APPLIED RESEARCH	55,694	60,194	63,194	65,294
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	40,880	40,880	44,380	44,080
	TOTAL, APPLIED RESEARCH	593,975	655,775	699,375	721,995
	ADVANCED TECHNOLOGY DEVELOPMENT				
15	POWER PROJECTION ADVANCED TECHNOLOGY	107,969	125,869	106,869	116,689
16	FORCE PROTECTION ADVANCED TECHNOLOGY	66,035	91,935	75,235	93,355
17	COMMON PICTURE ADVANCED TECHNOLOGY	108,394	49,284	110,394	109,994
18	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	86,239	95,039	86,239	93,279
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	65,827	65,827	76,327	75,827
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	107,363	114,863	115,363	121,063
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	10,998	11,998	10,998	11,798
22	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	18,609	52,609	20,609	52,109
23	UNDERSEA WARFARE ADVANCED TECHNOLOGY	68,037	76,037	68,037	74,037
24	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	52,643	52,643	52,643	52,643

(In thousands of dollars)

		Budget	House	Senate	Recommendation
25	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY....	28,782	30,782	28,782	30,382
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	720,896	766,886	751,496	831,176
	DEMONSTRATION & VALIDATION				
26	AIR/OCEAN TACTICAL APPLICATIONS.....	116,082	117,982	117,482	119,002
27	AVIATION SURVIVABILITY.....	6,505	19,505	18,005	27,405
28	DEPLOYABLE JOINT COMMAND AND CONTROL.....	6,032	9,832	6,032	9,072
29	ASW SYSTEMS DEVELOPMENT.....	16,585	26,455	19,585	25,680
30	TACTICAL AIRBORNE RECONNAISSANCE.....	7,713	10,213	7,713	9,713
31	ADVANCED COMBAT SYSTEMS TECHNOLOGY.....	1,677	4,177	1,677	3,677
32	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.....	76,739	86,739	84,739	92,739
33	SURFACE SHIP TORPEDO DEFENSE.....	57,538	70,038	57,538	67,538
34	CARRIER SYSTEMS DEVELOPMENT.....	173,594	173,594	176,794	176,554
35	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT.....	1,691	13,791	21,491	30,351
36	PILOT FISH.....	79,194	79,194	79,194	79,194
37	RETRACT LARCH.....	99,757	99,757	99,757	109,757
38	RETRACT JUNIPER.....	120,752	120,752	114,752	114,752
39	RADIOLOGICAL CONTROL.....	1,372	1,372	1,372	1,372
40	SURFACE ASW.....	21,995	23,995	21,995	23,595
41	ADVANCED SUBMARINE SYSTEM DEVELOPMENT.....	551,836	554,836	550,836	551,836
42	SUBMARINE TACTICAL WARFARE SYSTEMS.....	10,172	11,172	12,172	12,572
43	SHIP CONCEPT ADVANCED DESIGN.....	22,541	22,541	22,541	22,541
44	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.....	28,135	40,935	28,135	38,375
45	ADVANCED NUCLEAR POWER SYSTEMS.....	259,887	259,887	259,887	259,887
46	ADVANCED SURFACE MACHINERY SYSTEMS.....	5,599	13,199	19,399	20,639
47	CHALK EAGLE.....	443,555	443,555	443,555	443,555
48	LITTORAL COMBAT SHIP (LCS).....	360,518	366,918	360,518	424,518
49	COMBAT SYSTEM INTEGRATION.....	22,558	22,558	22,558	22,558
50	CONVENTIONAL MUNITIONS.....	3,458	4,458	3,458	4,258
51	MARINE CORPS ASSAULT VEHICLES.....	293,466	243,466	293,466	293,466
53	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.....	73,798	73,798	59,798	78,598

(In thousands of dollars)

		Budget	House	Senate	Recommendation
54	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	21,054	21,054	21,054	21,054
55	COOPERATIVE ENGAGEMENT	56,586	61,586	56,586	60,586
56	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	17,328	17,328	17,328	17,328
57	ENVIRONMENTAL PROTECTION	20,661	20,661	21,661	21,461
58	NAVY ENERGY PROGRAM	8,476	13,476	17,876	18,996
59	FACILITIES IMPROVEMENT	4,002	9,202	7,402	10,082
60	CHALK CORAL	70,772	70,772	70,772	70,772
61	NAVY LOGISTIC PRODUCTIVITY	4,301	7,101	16,001	15,101
62	RETRACT MAPLE	210,237	210,237	210,237	210,237
63	LINK PLUMERIA	69,313	69,313	63,313	63,313
64	RETRACT ELM	152,151	152,151	152,151	152,151
65	SHIP SELF DEFENSE	6,960	6,960	6,960	6,960
66	LINK EVERGREEN	123,660	123,660	123,660	123,660
67	SPECIAL PROCESSES	54,115	54,115	54,115	54,115
68	NATO RESEARCH AND DEVELOPMENT	10,194	10,194	10,194	10,194
69	LAND ATTACK TECHNOLOGY	1,238	8,238	1,238	6,838
70	NONLETHAL WEAPONS	46,971	49,871	46,971	49,291
71	JOINT PRECISION APPROACH AND LANDING SYSTEMS	150,304	150,304	150,304	150,304
72	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER	52,716	52,716	52,716	52,716
74	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	5,003	22,003	8,003	19,303
75	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	63,702	63,702	50,702	50,702
77	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE	67,843	67,843	32,843	55,843
78	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	40,926	40,926	40,926	40,926
79	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	42,533	42,533	40,533	40,533
	TOTAL, DEMONSTRATION & VALIDATION	4,163,795	4,260,665	4,177,995	4,385,670
	ENGINEERING & MANUFACTURING DEVELOPMENT				
80	OTHER HELO DEVELOPMENT	54,092	54,092	54,092	54,092
81	AV-8B AIRCRAFT - ENG DEV	20,886	20,886	20,886	20,886
82	STANDARDS DEVELOPMENT	53,540	59,340	53,540	59,340

(In thousands of dollars)

		Budget	House	Senate	Recommendation
83	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	81,953	81,953	76,553	75,613
84	AIR/OCEAN EQUIPMENT ENGINEERING	7,485	7,485	7,485	7,485
85	P-3 MODERNIZATION PROGRAM	3,659	3,659	3,659	3,659
86	WARFARE SUPPORT SYSTEM	6,307	6,307	6,307	6,307
87	TACTICAL COMMAND SYSTEM	86,462	95,462	86,462	92,862
88	ADVANCED HAWKEYE	364,557	362,557	364,557	362,557
89	H-1 UPGRADES	32,830	25,830	32,830	32,830
90	ACOUSTIC SEARCH SENSORS	56,369	56,369	56,369	56,369
91	V-22A	89,512	89,512	64,512	77,012
92	AIR CREW SYSTEMS DEVELOPMENT	14,265	12,565	14,265	12,565
93	EA-18	55,446	57,446	55,446	57,046
94	ELECTRONIC WARFARE DEVELOPMENT	97,635	101,635	102,635	105,635
95	VHXX EXECUTIVE HELO DEVELOPMENT	85,240	485,240	30,000	130,000
96	NEXT GENERATION JAMMER (NGJ)	127,970	117,970	127,970	117,970
97	JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	876,374	880,874	876,374	879,974
98	SC-21 TOTAL SHIP SYSTEM ENGINEERING	---	5,000	5,000	8,000
99	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	178,459	185,459	178,459	184,059
100	LPD-17 CLASS SYSTEMS INTEGRATION	5,304	5,304	5,304	5,304
101	SMALL DIAMETER BOMB (SDB)	43,902	43,902	43,902	43,902
102	STANDARD MISSILE IMPROVEMENTS	182,197	168,197	182,197	167,997
103	AIRBORNE MCM	48,712	51,712	48,712	51,112
104	NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG.	11,727	11,727	11,727	11,727
105	ADVANCED ABOVE WATER SENSORS	236,078	259,078	236,078	252,478
106	SSN-688 AND TRIDENT MODERNIZATION	122,733	122,733	121,733	121,333
107	AIR CONTROL	6,533	6,533	6,533	6,533
108	SHIPBOARD AVIATION SYSTEMS	80,623	82,123	77,623	78,823
109	COMBAT INFORMATION CENTER CONVERSION	13,305	13,305	13,305	13,305
110	NEW DESIGN SSN	154,756	195,256	162,756	185,156
112	SUBMARINE TACTICAL WARFARE SYSTEM	59,703	62,203	66,703	67,303

(In thousands of dollars)

	Budget	House	Senate	Recommendation
113 SHIP CONTRACT DESIGN/LIVE FIRE T&E	89,988	92,488	91,988	91,988
114 NAVY TACTICAL COMPUTER RESOURCES	4,620	4,620	4,620	4,620
115 MINE DEVELOPMENT	2,249	2,249	2,249	2,249
116 LIGHTWEIGHT TORPEDO DEVELOPMENT	21,105	21,105	24,105	23,505
117 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,327	10,327	10,327	10,327
118 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	5,898	6,898	5,898	6,698
119 JOINT STANDOFF WEAPON SYSTEMS	10,022	10,022	10,022	10,022
120 SHIP SELF DEFENSE (DETECT & CONTROL)	35,459	37,459	46,459	44,559
121 SHIP SELF DEFENSE (ENGAGE: HARD KILL)	34,236	35,736	46,236	46,236
122 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	88,895	88,895	88,895	88,895
123 INTELLIGENCE ENGINEERING	14,438	14,438	14,438	14,438
124 MEDICAL DEVELOPMENT	9,888	33,788	22,288	56,928
125 NAVIGATION/ID SYSTEM	63,184	63,184	63,184	63,184
127 JOINT STRIKE FIGHTER (JSF)	1,741,296	1,956,296	1,663,296	1,956,296
128 INFORMATION TECHNOLOGY DEVELOPMENT	9,868	9,868	9,868	9,868
129 INFORMATION TECHNOLOGY DEVELOPMENT	69,026	75,826	90,126	91,866
130 CH-53K	554,827	524,443	554,827	524,443
132 JOINT AIR-TO-GROUND MISSILE (JAGM)	81,434	77,734	81,434	77,734
133 MULTI-MISSION MARITIME AIRCRAFT (MMA)	1,162,417	1,182,417	1,162,417	1,175,417
134 CG(X)	150,022	110,022	86,022	46,022
135 DDG-1000	539,053	539,053	526,453	526,453
136 TACTICAL CRYPTOLOGIC SYSTEMS	19,016	20,516	19,016	19,916
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	7,975,882	8,649,098	7,818,142	8,240,898
RDT&E MANAGEMENT SUPPORT				
137 THREAT SIMULATOR DEVELOPMENT	25,534	27,534	25,534	27,134
138 TARGET SYSTEMS DEVELOPMENT	79,603	79,603	79,603	79,603
139 MAJOR T&E INVESTMENT	44,844	51,544	49,844	51,844
140 STUDIES AND ANALYSIS SUPPORT - NAVY	11,422	12,422	11,422	12,422
141 CENTER FOR NAVAL ANALYSES	49,821	49,821	49,821	49,821

(In thousands of dollars)

	Budget	House	Senate	Recommendation
142 SMALL BUSINESS INNOVATIVE RESEARCH	---	---	2,000	1,600
143 TECHNICAL INFORMATION SERVICES	735	4,735	19,735	20,835
144 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	60,590	60,590	60,590	60,590
145 STRATEGIC TECHNICAL SUPPORT	3,633	3,633	3,633	3,633
146 RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	70,942	70,942	70,942	70,942
148 RDT&E SHIP AND AIRCRAFT SUPPORT	193,353	193,353	183,353	193,353
149 TEST AND EVALUATION SUPPORT	380,733	380,733	380,733	370,733
150 OPERATIONAL TEST AND EVALUATION CAPABILITY	12,010	12,010	12,010	12,010
151 NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	2,703	2,703	2,703	2,703
152 SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	20,921	20,921	20,921	20,921
153 MARINE CORPS PROGRAM WIDE SUPPORT	19,004	20,004	19,004	19,804
154 TACTICAL CRYPTOLOGIC ACTIVITIES	2,464	2,464	2,464	2,464
155 SERVICE SUPPORT TO JFCOM, JNTC	4,197	4,197	4,197	4,197
TOTAL, RDT&E MANAGEMENT SUPPORT	982,509	997,209	998,509	1,004,609
OPERATIONAL SYSTEMS DEVELOPMENT				
159 UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT	311,204	306,204	311,204	306,204
160 STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	74,939	76,139	69,439	69,699
161 SSBN SECURITY TECHNOLOGY PROGRAM	34,479	34,479	34,479	34,479
162 SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	7,211	7,211	7,211	7,211
163 NAVY STRATEGIC COMMUNICATIONS	43,982	23,982	46,982	46,382
164 RAPID TECHNOLOGY TRANSITION (RTT)	39,125	39,125	39,125	39,125
165 F/A-18 SQUADRONS	127,733	127,733	122,333	121,613
166 E-2 SQUADRONS	63,058	63,058	63,058	63,058
167 FLEET TELECOMMUNICATIONS (TACTICAL)	37,431	37,431	37,431	37,031
168 TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	13,238	14,038	17,338	17,158
169 INTEGRATED SURVEILLANCE SYSTEM	24,835	26,835	24,835	26,435
170 AMPHIBIOUS TACTICAL SUPPORT UNITS	2,324	2,324	2,324	2,324
171 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	49,293	52,293	39,293	41,693
172 CRYPTOLOGIC DIRECT SUPPORT	1,609	1,609	1,609	1,609
173 ELECTRONIC WARFARE (EW) READINESS SUPPORT	37,524	37,524	37,524	37,524

(In thousands of dollars)

	Budget	House	Senate	Recommendation
174 HARM IMPROVEMENT	30,045	30,045	30,045	30,045
175 TACTICAL DATA LINKS	25,003	25,003	15,003	15,003
176 SURFACE ASW COMBAT SYSTEM INTEGRATION	41,803	41,803	41,803	41,803
177 MK-48 ADCAP	28,438	38,438	28,438	34,438
178 AVIATION IMPROVEMENTS	135,840	127,349	134,149	135,189
179 NAVY SCIENCE ASSISTANCE PROGRAM	3,716	3,716	3,716	3,716
180 OPERATIONAL NUCLEAR POWER SYSTEMS	72,031	72,031	72,031	72,031
181 MARINE CORPS COMMUNICATIONS SYSTEMS	287,348	291,848	277,348	280,748
182 MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	120,379	124,179	106,479	109,319
183 MARINE CORPS COMBAT SERVICES SUPPORT	17,057	17,057	21,457	20,577
184 USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	30,167	29,900	30,167	29,900
185 TACTICAL AIM MISSILES	2,298	2,298	2,298	2,298
186 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	3,604	3,604	3,604	3,604
187 JOINT HIGH SPEED VESSEL (JHSV)	8,431	8,431	8,431	8,431
192 SATELLITE COMMUNICATIONS (SPACE)	474,009	474,009	474,009	474,009
193 CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES	45,513	45,513	45,513	45,513
194 INFORMATION SYSTEMS SECURITY PROGRAM	24,226	24,226	29,226	29,226
195 JOINT COMMAND AND CONTROL PROGRAM (JC2)	2,453	2,453	---	---
196 JOINT COMMAND AND CONTROL PROGRAM (JC2)	4,139	4,139	---	---
197 COBRA JUDY	62,061	62,061	62,061	62,061
198 NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	28,094	29,094	28,094	28,894
199 JOINT MILITARY INTELLIGENCE PROGRAMS	4,600	7,000	4,600	6,520
200 TACTICAL UNMANNED AERIAL VEHICLES	8,971	8,971	8,871	8,871
202 AIRBORNE RECONNAISSANCE SYSTEMS	46,208	52,458	50,558	55,558
203 MANNED RECONNAISSANCE SYSTEMS	22,599	19,899	22,599	19,899
204 DISTRIBUTED COMMON GROUND SYSTEMS	18,079	12,379	18,079	12,379
205 RQ-4 UAV	465,839	380,839	465,839	440,839
206 MQ-8 UAV	25,639	25,639	25,639	25,639
207 RQ-11 UAV	553	553	553	553

(In thousands of dollars)

	Budget	House	Senate	Recommendation
208 RQ-7 UAV	986	986	986	986
209 SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	18,763	18,763	18,763	18,763
210 SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	23,594	23,594	23,594	23,594
212 EP-3E REPLACEMENT (EPX)	11,976	11,976	11,976	11,976
213 MODELING AND SIMULATION SUPPORT	8,028	8,028	8,028	8,028
214 DEPOT MAINTENANCE (NON-IF)	14,675	14,675	14,675	14,675
215 AVIONICS COMPONENT IMPROVEMENT PROGRAM	2,725	3,725	2,725	3,525
216 INDUSTRIAL PREPAREDNESS	56,691	69,191	66,941	75,191
MARITIME TECHNOLOGY (MARITECH)	---	1,000	4,000	4,100
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	3,044,566	2,966,858	3,016,483	3,009,446
999 CLASSIFIED PROGRAMS	1,258,018	1,353,118	1,142,318	1,258,018
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	19,270,932	20,197,300	19,148,509	20,003,463

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Recommendation
1	UNIVERSITY RESEARCH INITIATIVES	99,472	103,472	102,472	102,672
	Center for Assured Critical Application and Infrastructure Security		1,500		1,200
	Ship Model Testing		2,500		2,000
	Molecular Electronics for Flash Memory Production (transferred to RDT&E, Army line number 3)			3,000	
3	DEFENSE RESEARCH SCIENCES	413,743	426,143	423,643	430,903
	Characterization and Exploitation of Magnetic and Electric Fields in the Coastal Ocean Environment		2,500		2,000
	Energetics S&T Workforce Development		3,500		3,500
	Next Generation Manufacturing Processes and Systems		1,500		1,200
	ONAMI Nanoelectronics, Nanometrology and Nanobiotechnology Initiative		2,500	4,800	3,840
	Shock and Vibration Modeling of Marine Composites		2,400		1,920
	Waves, Wind and Scavengers: Next Generation Renewable Energy Systems for Naval Applications			2,000	2,000
	Texas Microfactory			2,000	1,600
	Human Neural Cell-Based Biosensor			1,100	1,100
4	POWER PROJECTION APPLIED RESEARCH	59,787	68,787	72,287	77,547
	Aging Military Aircraft Fleet Support		2,000		1,600
	Electronic Motion Actuation Systems		1,000		800
	Multifunctional Materials, Devices, and Applications		2,000		1,600
	Strike Weapon Propulsion		4,000		3,200
	Advanced Helicopter Landing Aid			800	800
	Combustion Light Gas Gun Projectile			5,000	4,000
	Enhanced EO/IR Sensors			3,000	2,400
	Naval Advanced Electric Launcher System			2,000	2,000
	Millimeter Wave Imaging			1,700	1,360
5	FORCE PROTECTION APPLIED RESEARCH	91,400	124,900	135,900	146,700
	Advanced Battery System for Military Avionics Power Systems		2,000		1,600
	Advanced Energetics Initiative		4,000		4,000
	Advanced Simulation Tools for Composite Aircraft Structures		2,000		1,600
	Energetic Nano-Materials Agent Defeat Initiative		2,000		1,600
	Center for Autonomous Solar Power - Supercapacitors for Integrated Power Storage		5,000	2,500	4,000
	Advanced Composite Manufacturing for Composite High-Speed Boat Design		2,000		1,600
	Non Traditional Ballistic Fiber and Fabric Weaving Application for Force Protection		2,500		2,000
	Integration of Electro-Kinetic Weapons into Next Generation Navy Ships		5,000	4,000	4,000
	Lithium Ion Storage Advancement for Aircraft Applications		2,500		2,000
	Multi-Mission Unmanned Surface Vessel		2,500		2,000
	Program Increase - Hybrid Power Systems		4,000		2,000
	Alternative Energy Research			25,000	18,500
	Carbon Composite Thin Films for Power Generation and Energy Storage			2,000	1,600
	Magnetic Refrigeration Technology for Naval Applications			5,000	4,000

R-1		Budget Request	House	Senate	Recommendation
	Fuel Efficient, High Specific Power Free Piston Engine for USSVs			2,000	1,600
	Harbor Shield - Homeland Defense Port Security Initiative			2,000	1,600
	Proton Exchange Membrane Fuel Cell for Underwater Vehicles			2,000	1,600
6	MARINE CORPS LANDING FORCE TECHNOLOGY	39,308	39,308	46,808	45,808
	Warfighter Rapid Awareness Processing Technologies			5,000	4,500
	High Power Ultra Lightweight Zinc-Air Battery			2,500	2,000
7	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	0	3,500	0	2,800
	Infrared Materials Laboratory		3,500		2,800
8	COMMON PICTURE APPLIED RESEARCH	83,163	85,963	89,663	90,903
	Cognitive Radio Institute		1,000		800
	Sensor Integration Framework		1,800		1,440
	Intelligent Decision Exploration			4,500	3,900
	Head Attitude Tracking System			2,000	1,600
9	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	104,169	104,169	122,569	119,289
	Composite Materials Enhancements through Polymer Science R&D			5,900	5,120
	Productization of Anti-fouling and Fouling Release Coating Systems			3,500	2,800
	Nanotechnology for Anti-Reverse Engineering			3,000	2,400
	Biosensors for Defense Applications			1,000	800
	Managing and Extending DoD Asset Lifecycles			2,000	1,600
	Advanced Composite Maritime Manufacturing			2,000	1,600
	Assistive Technologies for Injured Service Members			1,000	800
10	RF SYSTEMS APPLIED RESEARCH	64,816	68,316	66,816	69,616
	Gallium Nitride (GaN) Power Technology		2,000		1,600
	Silicon Carbide Wafer Production - Process Development for Low Defect Power Electronics		1,500		1,200
	National Initiatives for Applications of Multifunctional Materials			2,000	2,000
11	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	48,750	53,750	51,750	53,950
	Autonomous Marine Sensors and Networks for Rapid Littoral Assessment		3,000		2,400
	Underwater Imaging and Communications Using Lasers		2,000	2,000	2,000
	Unmanned Undersea Vehicle Submerged Long Range Positioning			1,000	800
13	UNDERSEA WARFARE APPLIED RESEARCH	55,694	60,194	63,194	65,294
	Autonomous UUV Delivery and Communication System Integration		4,500		3,600
	Advanced High Energy Density Surveillance Power Module			4,000	3,200
	Galfenol Energy Harvesting			3,500	2,800
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	40,880	40,880	44,380	44,080
	Electromagnetic Signatures Assessment System Using Multiple Autonomous Undersea Vehicles, Phase III			2,000	2,000
	Virtual Onboard Analyst for Multi-Sensor Mine Detection			1,500	1,200

R-1		Budget Request	House	Senate	Recommendation
15	POWER PROJECTION ADVANCED TECHNOLOGY	107,969	125,869	106,869	116,689
	AARGM Counter Air Defense Future Capabilities		2,500		2,000
	Countermine LIDAR UAV-Based Systems		2,000	1,400	1,600
	Flow Path Analysis Tool		2,000		1,600
	Moving Target Indicator Scout Radar		1,000		800
	Quiet Drive Advanced Rotary Actuator		2,000		1,600
	Smart Instrument Development for the Magdalena Ridge Observatory		2,000	5,000	4,000
	Tactical High Speed Anti-Radiation Missile Propulsion Demonstration		1,900		1,520
	X-49A Envelope Expansion Modifications		4,500		3,600
	Reduction to growth			-10,000	-10,000
	Detection, Tracking, and Identification for ISRTE of Mobile and Asymmetric Targets			2,500	2,000
16	FORCE PROTECTION ADVANCED TECHNOLOGY	66,035	91,935	75,235	93,355
	Accelerating Fuel Cells Manufacturability		2,000		1,600
	Advanced Logistics Fuel Reformer for Fuel Cells (Phase II)		3,000		2,400
	Agile Port and High Speed Ship Technology		2,000		1,600
	HBCU Applied Research Incubator		1,000		800
	High Power Density Motor Drive		3,600		2,880
	High Temperature Radar Dome Materials		2,000		1,600
	High Temperature Superconductor Trap Field Magnet Motor		1,000		800
	Multi-Element Structured Filter Arrays for Naval Platforms		4,300		3,440
	NAVAIR Project for Land/Sea-Based Air Systems Maintenance and Air Worthiness		2,000	2,000	2,000
	Pure Hydrogen Supply from Logistic Fuels		3,000		2,400
	Wide Area Sensor Force Protection Targeting		2,000		1,600
	Single Generator Operations Lithium Ion Battery			5,000	4,000
	Captive Air Amphibious Transporter			2,200	2,200
17	COMMON PICTURE ADVANCED TECHNOLOGY	108,394	49,284	110,394	109,994
	High Integrity Global Positioning System		-59,110		
	4-D Data Fusion Visualization			2,000	1,600
18	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	86,239	95,039	86,239	93,279
	Intelligent Retrieval of Imagery		2,500		2,000
	Marine Corps Cultural and Language Training Platform		800		640
	Nanofluidic Lubricants for Increased Fuel Efficiency in Heavy Duty Vehicles		1,500		1,200
	Environmentally Sealed, Ruggedized Avionics Displays		4,000		3,200
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	65,827	65,827	76,327	75,827
	Reduction to new starts			-7,000	-7,000
	Pacific Airborne Surveillance and Testing			17,500	17,000
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	107,363	114,863	115,363	121,063
	California Central Coast Partnership Research		3,500		2,800
	Enhanced Small Arms Protective Insert		2,000		1,600
	Near Infrared Optical Augmentation System		2,000		1,600
	Ground Warfare Acoustical Combat Systems of Netted Sensors			5,000	5,000
	Marine Air-Ground Task Force Situational Awareness			3,000	2,700

R-1		Budget Request	House	Senate	Recommendation
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	10,998	11,998	10,998	11,798
	Dynamic Eye-Safe Imaging Laser		1,000		800
22	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	18,609	52,609	20,609	52,109
	Navy Special Warfare Performance and Injury Prevention Program for Special Boat Team 22		2,500	2,000	2,000
	C.W. Bill Young Bone Marrow Donor Recruitment and Research Program		31,500		31,500
23	UNDERSEA WARFARE ADVANCED TECHNOLOGY	68,037	76,037	68,037	74,037
	Underwater Explosives and Warhead Research		3,000		3,000
	Program Increase - ASW Research		5,000		3,000
25	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	28,782	30,782	28,782	30,382
	Joint Explosive Ordnance Disposal Diver Situational Awareness System		2,000		1,600
26	AIR/OCEAN TACTICAL APPLICATIONS	116,082	117,982	117,482	119,002
	Non-Gasoline Burning Outboard Engine		1,900		1,520
	Semi-Submersible UUV for Sensor Enhancements			1,400	1,400
27	AVIATION SURVIVABILITY	6,505	19,505	18,005	27,405
	Common Safety System Controller		3,000		2,400
	Improved Capabilities for Irregular Warfare Platforms		4,000		4,000
	Lighter-than-Air Stratospheric Unmanned Aerial Vehicle for Persistent Communications Relay and Surveillance		3,000		2,400
	Military Upset Recovery Training		1,000		800
	Modular Advanced Vision System		2,000		1,600
	Integrated Manifold and Tube Ceramic Oxygen Generator			6,000	4,800
	Conformal Ceramics for Enhanced Aviation Armor Systems			2,500	2,500
	Unmanned Vehicle Sensor Optimization Technologies Program			3,000	2,400
28	DEPLOYABLE JOINT COMMAND AND CONTROL	6,032	9,832	6,032	9,072
	Deployable Command and Control Vehicle		3,800		3,040
29	ASW SYSTEMS DEVELOPMENT	16,585	26,455	19,585	25,680
	Air Readiness/Effectiveness Measurement Program		2,000		1,600
	Marine Mammal Awareness, Alert and Response Systems		3,000		2,400
	Marine Mammal Detection System		2,000	2,000	2,000
	Marine Species Mitigation		2,870		2,295
	Sonobuoy Wave-Energy Module			1,000	800
30	TACTICAL AIRBORNE RECONNAISSANCE	7,713	10,213	7,713	9,713
	Precision Engagement Technologies for Unmanned Systems		2,500		2,000
31	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,677	4,177	1,677	3,677
	Maintenance Free Operating Period		2,500		2,000

R-1		Budget Request	House	Senate	Recommendation
32	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	76,739	86,739	84,739	92,739
	Persistent Autonomous Maritime Surveillance		5,000		5,000
	Program Increase - Minehunting Sonar		5,000		3,000
	RMS transfer from Other Procurement ,Navy line number 29			8,000	8,000
33	SURFACE SHIP TORPEDO DEFENSE	57,538	70,038	57,538	67,538
	AN/SLQ-25D Integration		8,000		6,400
	Continuous Active Sonar for Torpedo DCL Systems		4,500		3,600
34	CARRIER SYSTEMS DEVELOPMENT	173,594	173,594	176,794	176,554
	Composite Mast for CVNs			3,200	2,960
35	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	1,691	13,791	21,491	30,351
	Advanced Fuel Filtration System		1,500		1,200
	High-Shock 100 Amp Current Limiting Circuit Breaker		600		600
	Integrated Condition Assessment and Reliability Engineering		1,000		800
	Integrated Power System Power Dense Harmonic Filter Design		2,000		1,600
	IP over Power Line Carrier Network Integration with ICAS		2,000		1,600
	Landing Craft Composite Lift Fan		1,500		1,200
	Shipboard Wireless Maintenance Assistant		1,500		1,200
	Integrated Power System Converter		2,000		1,600
	DDG-51 Hybrid Drive System			8,100	8,100
	Advanced Steam Turbine			4,000	4,000
	Propulsion Manufacturing Technology Development			4,700	3,760
	Advanced Fluid Controls for Shipboard Application			3,000	3,000
37	RETRACT LARCH	99,757	99,757	99,757	109,757
	Transfer from RDT&E, Defense-Wide line number 70				10,000
38	RETRACT JUNIPER	120,752	120,752	114,752	114,752
	Program adjustment			-6,000	-6,000
40	SURFACE ASW	21,995	23,995	21,995	23,595
	Low Frequency Active Towed Sonar System Organic ASW Capability		2,000		1,600
41	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	551,836	554,836	550,836	551,836
	Program delay		-4,000		-4,000
	SSBN(X) Systems Development		2,500		2,000
	Submarine Fatline Vector Sensor Towed Array		2,000		1,600
	Underwater Explosion Modeling and Simulation for Ohio Class Replacement Composite Non-Pressure Hull Fairing		2,500		2,000
	Organic Submarine ISRT Demonstration (IRST OSAID)			3,000	2,400
	Undersea Superiority program support			-4,000	-4,000
42	SUBMARINE TACTICAL WARFARE SYSTEMS	10,172	11,172	12,172	12,572
	Submarine Panoramic Awareness System		1,000		800
	High Torque, Low Speed, Direct Drive Electric Motor Technology			2,000	1,600
44	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	28,135	40,935	28,135	38,375
	Bow Lifting Body Project		4,000		3,200
	Low Signature Defensive Weapon System for Surface Combatant Craft		4,800		3,840
	Naval Ship Hydrodynamic Test Facilities		4,000		3,200

R-1		Budget Request	House	Senate	Recommendation
46	ADVANCED SURFACE MACHINERY SYSTEMS	5,599	13,199	19,399	20,639
	High Density Power Conversion and Distribution Equipment		1,500		1,200
	Hybrid Propulsion/Power Generation for Increased Fuel Efficiency for Surface Combatants		2,000	8,000	6,400
	Integrated Advanced Ship Control		1,500		1,200
	Micro-Drive for Future HVAC Systems		600	2,400	1,920
	Next Generation Shipboard Integrated Power-Fuel Efficiency and Advanced Capability Enhancer		2,000		1,600
	Fan Coil Assembly of the Future			3,400	2,720
48	LITTORAL COMBAT SHIP (LCS)	360,518	366,918	360,518	424,518
	Program Increase - Mine Warfare Modules		6,400		4,000
	Revised acquisition strategy				60,000
50	CONVENTIONAL MUNITIONS	3,458	4,458	3,458	4,258
	Improved Kinetic Energy Cargo Round		1,000		800
51	MARINE CORPS ASSAULT VEHICLES	293,466	243,466	293,466	293,466
	Program delay		-50,000		
53	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	73,798	73,798	59,798	78,598
	Expeditionary Capabilities Laboratory			3,000	2,400
	Marine Expeditionary Rifle Squad Reconfigurable Vehicle Simulator			3,000	2,400
	JLTV program delay			-20,000	
55	COOPERATIVE ENGAGEMENT	56,586	61,586	56,586	60,586
	Cooperative Engagement Capability		5,000		4,000
57	ENVIRONMENTAL PROTECTION	20,661	20,661	21,661	21,461
	Compliance Tools Development for Metals in Antifouling Paints			1,000	800
58	NAVY ENERGY PROGRAM	8,476	13,476	17,876	18,996
	Program Increase - Alternative and Renewable Energy Sources		5,000		3,000
	Solar Heat Reflective Film for Energy and Fuel Efficiency in Buildings and Vehicles			4,900	3,920
	Molten Carbonate Fuel Cell Demonstrator			4,500	3,600
59	FACILITIES IMPROVEMENT	4,002	9,202	7,402	10,082
	Kinetic Hydropower System Turbine		2,000		1,600
	Photovoltaic Rooftop Systems for Military Housing		1,500		1,200
	Regenerative Fuel Cell Back-up Power		1,700	1,000	1,360
	Permanent Magnet Generator - Wave Energy Buoy			2,400	1,920

R-1		Budget Request	House	Senate	Recommendation
61	NAVY LOGISTIC PRODUCTIVITY	4,301	7,101	16,001	15,101
	Highly Integrated Siloxane Optical Interconnect for Military Avionics		1,000		800
	NSWC Corona Item Unique Identification Center		1,800		1,440
	Advanced Naval Logistics			3,000	2,400
	Hawaii National Guard Integrated Information Command System			1,600	1,280
	Photonic Integration Foundry			3,000	2,400
	Thin Film Materials for Advanced Applications, Advanced IED and Anti-Personnel Sensors			1,600	1,280
	Radio Frequency Identification (RFID) Technologies (transferred to RDT&E, Defense-Wide line number 41)			1,000	
	Real-time Tactical Intelligence Collection System			1,500	1,200
63	LINK PLUMERIA	69,313	69,313	63,313	63,313
	Program adjustment			-6,000	-6,000
69	LAND ATTACK TECHNOLOGY	1,238	8,238	1,238	6,838
	76mm Swarmbuster Capability		2,000		1,600
	Hybrid Propellant for Medium and Large Caliber Ammunition		5,000		4,000
70	NONLETHAL WEAPONS	46,971	49,871	46,971	49,291
	Non-Lethal Defense Technologies		2,900		2,320
74	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	5,003	22,003	8,003	19,303
	Joint Technology Insertion and Accelerated System Integration Capability for Electronic Warfare		2,000		1,600
	Program Increase - Directed Energy Weapons		15,000		10,000
	Global Law Enforcement Support for Counter-Narcotics			1,500	1,500
	Maritime Directed Energy Test and Evaluation Center			1,500	1,200
75	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	63,702	63,702	50,702	50,702
	TADIRCM program delay			-13,000	-13,000
77	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE	67,843	67,843	32,843	55,843
	JCREW 3.3 contract delay			-35,000	-12,000
79	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	42,533	42,533	40,533	40,533
	Funding carryover due to fleet schedules			-2,000	-2,000
82	STANDARDS DEVELOPMENT	53,540	59,340	53,540	59,340
	Measurement Standards Research and Development		5,800		5,800
83	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	81,953	81,953	76,553	75,613
	M230 30mm Chain Gun Automatic Cannon			4,700	3,760
	Defer IFF Mode 5			-10,100	-10,100
87	TACTICAL COMMAND SYSTEM	86,462	95,462	86,462	92,862
	Shipboard Wireless Network		3,000		2,400
	Program Increase - ISR Enhancements		6,000		4,000
88	ADVANCED HAWKEYE	364,557	362,557	364,557	362,557
	Engineering support growth		-2,000		-2,000

R-1		Budget Request	House	Senate	Recommendation
89	H-1 UPGRADES	32,830	25,830	32,830	32,830
	Excessive program growth		-7,000		
91	V-22A	89,512	89,512	64,512	77,012
	Reduction to growth			-25,000	-12,500
92	AIR CREW SYSTEMS DEVELOPMENT	14,265	12,565	14,265	12,565
	Common Mobile Aircrew Restraint System contract delay		-1,700		-1,700
93	EA-18	55,446	57,446	55,446	57,046
	Next Generation Electronic Warfare Simulator		2,000		1,600
94	ELECTRONIC WARFARE DEVELOPMENT	97,635	101,635	102,635	105,635
	NAWCWD Point Mugu Electronic Warfare Laboratory Upgrade		4,000		3,200
	Small Survivable Jammer			1,000	800
	F/A-18 Countermeasures Improvement			4,000	4,000
95	VHXX EXECUTIVE HELO DEVELOPMENT	85,240	485,240	30,000	130,000
	Continue Increment One Development		400,000		
	Termination costs funded ahead of estimate			-55,240	-55,240
	Technology capture				100,000
96	NEXT GENERATION JAMMER (NGJ)	127,970	117,970	127,970	117,970
	Program growth		-10,000		-10,000
97	JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	876,374	880,874	876,374	879,974
	Joint Tactical Radio System Handheld Manpack Small Form Factor Radio System		4,500		3,600
98	SC-21 TOTAL SHIP SYSTEM ENGINEERING	0	5,000	5,000	8,000
	Floating Area Network Littoral Sensor Grid		5,000		4,000
	Guidance, Navigation, Control, and Targeting			5,000	4,000
99	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	178,459	185,459	178,459	184,059
	Advanced Capability Build 12 and 14		2,000		1,600
	Aegis Research and Development		5,000		4,000
102	STANDARD MISSILE IMPROVEMENTS	182,197	168,197	182,197	167,997
	SM-6 program execution		-15,000		-15,000
	Automated Missile Tracking		1,000		800
103	AIRBORNE MCM	48,712	51,712	48,712	51,112
	Common Air Mine Countermeasures Tow Cable		3,000		2,400
105	ADVANCED ABOVE WATER SENSORS	236,078	259,078	236,078	252,478
	Common Digital Sensor Architecture		3,000		2,400
	Submarine Navigation Decision Aids		5,000		4,000
	Program Increase - Advanced Sensor Development		15,000		10,000
106	SSN-688 AND TRIDENT MODERNIZATION	122,733	122,733	121,733	121,333
	Improved Submarine Towed Array Systems			2,000	1,600
	OE-538/OE-592 funding carryover			-3,000	-3,000
108	SHIPBOARD AVIATION SYSTEMS	80,623	82,123	77,623	78,823
	Voyage Repair Team Tool Management		1,500		1,200
	ADMACS Block 3 program delay			-3,000	-3,000

R-1	Budget Request	House	Senate	Recommendation
110 NEW DESIGN SSN	154,756	195,256	162,756	185,156
Advanced Manufacturing for Submarine Bow Domes and Rubber Boots		2,000		1,600
Common Command and Control System Module		4,000	6,000	4,800
Mold-in-Place Coating Development for the US Submarine Fleet		2,000	2,000	2,000
Submarine Automated Test and Re-Test		2,500		2,000
Small Business Technology Insertion		30,000		20,000
112 SUBMARINE TACTICAL WARFARE SYSTEM	59,703	62,203	66,703	67,303
Submarine System Biometrics Access Control		2,500		2,000
Artificial Intelligence–Based Combat System Kernel			4,000	3,200
Submarine Environment for Evaluation and Development			3,000	2,400
113 SHIP CONTRACT DESIGN/ LIVE FIRE T&E	89,988	92,488	91,988	91,988
Automated Fiber Optic Manufacturing Initiative for Navy Ships		2,500	2,000	2,000
116 LIGHTWEIGHT TORPEDO DEVELOPMENT	21,105	21,105	24,105	23,505
Weapon Acquisition and Firing System			3,000	2,400
118 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	5,898	6,898	5,898	6,698
Workforce Requirements Planning - Team Enhancement		1,000		800
120 SHIP SELF DEFENSE (DETECT & CONTROL)	35,459	37,459	46,459	44,559
Persistent Surveillance Wave Powerbuoy System		2,000	4,000	3,200
Autonomous Unmanned Surface Vehicle			3,000	2,700
Expeditionary Swimmer Defense System			4,000	3,200
121 SHIP SELF DEFENSE (ENGAGE: HARD KILL)	34,236	35,736	46,236	46,236
Laser Phalanx		1,500	12,000	12,000
124 MEDICAL DEVELOPMENT	9,888	33,788	22,288	56,928
Advanced Molecular Medicine Initiative		1,000		800
Hampton University Proton Cancer Treatment Initiative		5,000		4,000
Deployment Health and Chronic Disease Surveillance		1,000		800
Integrated Psycho-Social Health Care Demonstration Program		1,000		1,000
Management of Lung Injury by Micronutrients		1,500		1,200
Mobile Oxygen, Ventilation, and External Suction (MOVES) System		3,400	2,000	2,720
National Functional Genomics Center Collaborating Site		4,000		3,200
On-Demand Custon Body Implants/Prosthesis for Injured Personnel		2,000		1,600
U.S. Navy Pandemic Influenza Vaccine Program		2,000		1,600
U.S. Navy Cancer Vaccine Program		3,000		2,400
Biocidal Wound Dressings			1,500	1,200
Simplified Orthopedic Surgery			5,300	4,240
Composite Tissue Transplantation for Combat Wounded Repair			2,000	2,000
Multivalent Dengue Vaccine Program			1,600	1,280
Military Dental Research (transferred from Defense Health Program)				6,000
Wound Care Research (transferred from Defense Health Program)				13,000
127 JOINT STRIKE FIGHTER (JSF)	1,741,296	1,956,296	1,663,296	1,956,296
Alternate Engine Development		215,000		215,000
Excess to need			-78,000	

R-1	Budget Request	House	Senate	Recommendation
129 INFORMATION TECHNOLOGY DEVELOPMENT	69,026	75,826	90,126	91,866
Instrumented Underwater Training Systems		2,800		2,240
Integrated Manufacturing Systems 3D Simulation and Modeling Project		2,500		2,000
Maintenance Planning and Assessment Technology Insertion		1,500		1,200
Condition-Based Maintenance Enabling Technologies Program			3,000	2,400
Digitization, Integration, and Analyst Access of Investigative Files, NCIS			1,500	1,200
Integration of Logistics Information of Knowledge Projection and Readiness Assessment Program			2,000	1,600
METOC Integrated Network-Centric Technology Systems			2,600	2,600
Supply Chain Logistics Capability at the ABL NIROP			8,000	6,400
SPAWAR Systems Center/ITC New Orleans			4,000	3,200
130 CH-53K	554,827	524,443	554,827	524,443
Program execution		-30,384		-30,384
132 JOINT AIR-TO-GROUND MISSILE (JAGM)	81,434	77,734	81,434	77,734
Program delay		-3,700		-3,700
133 MULTI-MISSION MARITIME AIRCRAFT (MMA)	1,162,417	1,182,417	1,162,417	1,175,417
Small Business Technology Insertion		20,000		13,000
134 CG(X)	150,022	110,022	86,022	46,022
Program delay		-40,000		-40,000
Propulsion development ahead of material solution decision			-24,000	-24,000
Unjustified request			-40,000	-40,000
135 DDG-1000	539,053	539,053	526,453	526,453
FSST alternative initiative			-12,600	-12,600
136 TACTICAL CRYPTOLOGIC SYSTEMS	19,016	20,516	19,016	19,916
Engineering support growth		-1,500		-1,500
Paragon (Frequency Extension)		3,000		2,400
137 THREAT SIMULATOR DEVELOPMENT	25,534	27,534	25,534	27,134
Navy Advanced Threat Simulator		2,000		1,600
139 MAJOR T&E INVESTMENT	44,844	51,544	49,844	51,844
Joint Mission Battle-Space to Support Net-Ready Key Performance Parameters		2,000		2,000
National Aviation Enterprise Interoperability with Carrier Strike and Expeditionary Group Forces		4,700	5,000	5,000
140 STUDIES AND ANALYSIS SUPPORT - NAVY	11,422	12,422	11,422	12,422
Joint Heavy-Lift Rotocraft Research		1,000		1,000
142 SMALL BUSINESS INNOVATIVE RESEARCH	0	0	2,000	1,600
Wave Energy Harvesting for Buoy Applications			2,000	1,600
143 TECHNICAL INFORMATION SERVICES	735	4,735	19,735	20,835
Center for Commercialization of Advanced Technology		2,500		2,000
Technology Transfer Office		1,500	1,500	1,500
Hawaii Technology Development Venture			10,500	10,000
Integrated Manufacturing Enterprise			5,000	5,000
Virtual Business Accelerator for the Silicon Prairie			2,000	1,600

R-1		Budget Request	House	Senate	Recommendation
148	RDT&E SHIP AND AIRCRAFT SUPPORT	193,353	193,353	183,353	193,353
	MRTFB additional aircraft support early to need (transferred to line number 149)			-10,000	
149	TEST AND EVALUATION SUPPORT	380,733	380,733	380,733	370,733
	MRTFB additional aircraft support early to need (transferred from line number 148)				-10,000
153	MARINE CORPS PROGRAM WIDE SUPPORT	19,004	20,004	19,004	19,804
	Global Supply Chain Management		1,000		800
159	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT	311,204	306,204	311,204	306,204
	Engineering support growth		-5,000		-5,000
160	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	74,939	76,139	69,439	69,699
	Advanced Linear Accelerator Facility		1,200		960
	Adelos Program: Nuclear Security Sensor System			3,500	2,800
	Joint Warhead Fuze Sustainment growth			-9,000	-9,000
163	NAVY STRATEGIC COMMUNICATIONS	43,982	23,982	46,982	46,382
	Block 1A contract delay		-20,000		
	E-6B Strategic Communications Upgrade			3,000	2,400
165	F/A-18 SQUADRONS	127,733	127,733	122,333	121,613
	Fighter Jet Noise Reduction Under Carrier Deck Operational Environment			3,600	2,880
	IRST contract delay			-9,000	-9,000
167	FLEET TELECOMMUNICATIONS (TACTICAL)	37,431	37,431	37,431	37,031
	Shipboard Automated Radio Room System			2,000	1,600
	NC3-LTS late Milestone B			-2,000	-2,000
168	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	13,238	14,038	17,338	17,158
	Image-Based Navigation and Precision Targeting		800		640
	Tomahawk Cost Reduction Initiative			4,100	3,280
169	INTEGRATED SURVEILLANCE SYSTEM	24,835	26,835	24,835	26,435
	Autonomous Anti-Submarine Warfare Vertical Beam Array Sonar		2,000		1,600
171	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	49,293	52,293	39,293	41,693
	NAVAIR High Fidelity Oceanographic Library		3,000		2,400
	Reduction to growth			-10,000	-10,000
175	TACTICAL DATA LINKS	25,003	25,003	15,003	15,003
	Increment 3 program uncertainty			-10,000	-10,000
177	MK-48 ADCAP	28,438	38,438	28,438	34,438
	Small Business Technology Insertion		10,000		6,000

R-1		Budget Request	House	Senate	Recommendation
178	AVIATION IMPROVEMENTS	135,840	127,349	134,149	135,189
	F-135 engine funding ahead of need		-12,491	-12,491	-12,491
	Arc Fault Circuit Breaker with Arc Location		1,000		800
	Lightweight Composite Structure Development for Aerospace Vehicles		3,000		2,400
	Highly Conductive Lightweight Aircraft Sealant			1,200	960
	Laser Peening for P-3 Life Extension			1,600	1,280
	Vet-Biz Initiative for National Sustainment			5,000	4,000
	Wireless Sensors for Navy Aircraft			3,000	2,400
181	MARINE CORPS COMMUNICATIONS SYSTEMS	287,348	291,848	277,348	280,748
	Battlefield Sensor Netting		3,000		2,400
	Media Exploitation Tool Integration with Intelligence C2 Systems		1,500		1,200
	Mobile Modular Command Center (M2C2)			3,000	2,800
	DCGS-MC tech development excessive growth			-5,000	-5,000
	C2 Warfare Systems reduce growth			-8,000	-8,000
182	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	120,379	124,179	106,479	109,319
	Remote Aiming and Sighting Optical Retrofit		3,800		3,040
	Expandable Rigid Wall Composite Shelter			1,000	800
	LAV Indirect Fire Modernization			-12,200	-12,200
	Battlefield Target Identification Device program uncertainty			-2,700	-2,700
183	MARINE CORPS COMBAT SERVICES SUPPORT	17,057	17,057	21,457	20,577
	High Performance Capabilities for Military Vehicles Project			1,400	1,120
	Marine Personnel Carrier Support System			3,000	2,400
184	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	30,167	29,900	30,167	29,900
	Angelfire program cancellation		-267		-267
194	INFORMATION SYSTEMS SECURITY PROGRAM	24,226	24,226	29,226	29,226
	Trusted Discovery/Universal Description Discovery and Integration UDDI			5,000	5,000
195	JOINT COMMAND AND CONTROL PROGRAM (JC2)	2,453	2,453	0	0
	Program delay			-2,453	-2,453
196	JOINT COMMAND AND CONTROL PROGRAM (JC2)	4,139	4,139	0	0
	Program delay			-4,139	-4,139
198	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	28,094	29,094	28,094	28,894
	Integration of Advanced Wide Field of View Sensor with Reusable, Reconfigurable Payload Processing Testbed System		1,000		800
199	JOINT MILITARY INTELLIGENCE PROGRAMS	4,600	7,000	4,600	6,520
	Open Source Naval and Missile Database Reporting System		2,400		1,920
200	TACTICAL UNMANNED AERIAL VEHICLES	8,971	8,971	8,871	8,871
	New start UAS			-100	-100

R-1	Budget Request	House	Senate	Recommendation
202 AIRBORNE RECONNAISSANCE SYSTEMS	46,208	52,458	50,558	55,558
EP-3E Requirements Capability Migration Systems Integration Lab		6,250		5,000
FEATHAR – Fusion, Exploitation, Algorithm, Targeting High-Altitude Reconnaissance			4,350	4,350
203 MANNED RECONNAISSANCE SYSTEMS	22,599	19,899	22,599	19,899
RF research growth		-2,700		-2,700
204 DISTRIBUTED COMMON GROUND SYSTEMS	18,079	12,379	18,079	12,379
Program delay		-5,700		-5,700
205 RQ-4 UAV	465,839	380,839	465,839	440,839
Program execution		-85,000		-25,000
215 AVIONICS COMPONENT IMPROVEMENT PROGRAM	2,725	3,725	2,725	3,525
Avionics Life Extension		1,000		800
216 INDUSTRIAL PREPAREDNESS	56,691	69,191	66,941	75,191
Laser Optimization Remote Lighting System		2,500		2,000
Manufacturing S&T for Next-Generation Energetics		5,000		5,000
Next Generation Scalable Lean Manufacturing Initiative - Phase Two		3,000		2,400
Out of Autoclave Composite Processing		2,000	2,000	2,000
Low Acoustic and Thermal Signature Battlefield Power Source			4,000	3,200
Life Extension of Weapon Systems Through Advanced Materials Processing			2,500	2,500
Flight/Hangar Deck Cleaner			1,750	1,400
217 MARITIME TECHNOLOGY (MARITECH)	0	1,000	4,000	4,100
Passive RFID Development		1,000		900
National Shipbuilding Research Program Advanced Shipbuilding Enterprise			4,000	3,200
999 CLASSIFIED PROGRAMS	1,258,018	1,353,118	1,142,318	1,258,018
Classified adjustment		95,100	-115,700	0

PRESIDENTIAL HELICOPTER

The House report directed the Secretary of Defense to report on the use of certain funds for the VH–71 Presidential Helicopter. The Senate report contained no similar language. The recommendation does not retain the House language.

BONE MARROW REGISTRY

The recommendation includes $31,500,000 for the Department of the Navy, to be administered by the C.W. Bill Young Marrow Donor Recruitment and Research Program, also known as and referred to within the Naval Medical Research Center as the Bone Marrow Registry. Funds appropriated for the C.W. Bill Young Marrow Donor Recruitment and Research Program shall remain available only for the purposes for which they were appropriated, and may only be obligated for the C.W. Bill Young Marrow Program. This donor center has recruited more than 525,000 Department of Defense volunteers and provides more marrow donors per week than any other donor center in the nation. More than 3,360 servicemembers and other Department volunteers from this donor center have provided marrow to save the lives of patients. The success of this national and international life-saving program for military and civilian patients, which now includes more than 7,500,000 potential volunteer donors, is admirable. Further, the agencies involved in contingency planning are encouraged to continue to include the C.W. Bill Young Marrow Donor Recruitment and Research Program in the development and testing of their contingency plans. The Department of Defense form (DD Form 1414) shall show this as a congressional interest item. The Department of Defense is further directed to release all the funds appropriated for this purpose to the C.W. Bill Young Marrow Donor Recruitment and Research Program within 60 days of the enactment of this Act.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For Research, Development, Test and Evaluation, Air Force, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE				
	BASIC RESEARCH				
1	DEFENSE RESEARCH SCIENCES	321,028	323,528	331,028	329,828
2	UNIVERSITY RESEARCH INITIATIVES	132,249	140,449	136,949	142,109
3	HIGH ENERGY LASER RESEARCH INITIATIVES	12,834	12,834	12,834	12,834
	TOTAL, BASIC RESEARCH	466,111	476,811	480,811	484,771
	APPLIED RESEARCH				
7	MATERIALS	127,957	155,707	168,957	179,157
8	AEROSPACE VEHICLE TECHNOLOGIES	127,129	129,129	138,529	139,149
9	HUMAN EFFECTIVENESS APPLIED RESEARCH	85,122	85,122	96,122	93,922
10	AEROSPACE PROPULSION	196,529	226,669	199,529	221,641
11	AEROSPACE SENSORS	121,768	129,768	135,668	136,588
12	SPACE TECHNOLOGY	104,148	116,248	110,148	119,628
13	CONVENTIONAL MUNITIONS	58,289	58,289	58,289	58,289
14	DIRECTED ENERGY TECHNOLOGY	105,677	106,677	99,927	106,477
15	COMMAND CONTROL AND COMMUNICATIONS	---	2,500	---	2,000
16	DOMINANT INFORMATION SCIENCES AND METHODS	115,278	115,278	115,278	115,278
17	HIGH ENERGY LASER RESEARCH	52,754	61,254	46,654	53,454
	TOTAL, APPLIED RESEARCH	1,094,651	1,186,641	1,169,101	1,225,563
	ADVANCED TECHNOLOGY DEVELOPMENT				
18	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,901	56,301	64,501	71,901
19	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	2,955	2,955	2,955	2,955
20	ADVANCED AEROSPACE SENSORS	51,482	53,482	51,482	53,082
21	AEROSPACE TECHNOLOGY DEV/DEMO	76,844	91,844	76,844	88,594
22	AEROSPACE PROPULSION AND POWER TECHNOLOGY	175,676	191,176	178,676	189,576
23	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	---	---	3,000	2,940
24	ELECTRONIC COMBAT TECHNOLOGY	31,021	32,521	31,021	32,221
25	ADVANCED SPACECRAFT TECHNOLOGY	83,909	98,609	90,409	99,269
26	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	5,813	5,813	37,813	36,813
27	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	24,565	24,565	24,565	24,565

(In thousands of dollars)

		Budget	House	Senate	Recommendation
28	CONVENTIONAL WEAPONS TECHNOLOGY	14,356	16,556	14,356	16,116
29	ADVANCED WEAPONS TECHNOLOGY	30,056	30,056	44,556	44,996
30	MANUFACTURING TECHNOLOGY PROGRAM	39,913	41,913	44,913	45,513
31	BATTLESPACE KNOWLEDGE DEVELOPMENT & DEMONSTRATION	39,708	39,708	39,708	39,708
32	C3I ADVANCED DEVELOPMENT	---	4,000	2,900	6,900
33	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	3,831	3,831	3,831	3,831
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	618,030	693,330	711,530	758,980
	DEMONSTRATION & VALIDATION				
34	INTELLIGENCE ADVANCED DEVELOPMENT	5,009	6,009	5,009	5,809
35	PHYSICAL SECURITY EQUIPMENT	3,623	3,623	3,623	3,623
38	ADVANCED EHF MILSATCOM (SPACE)	464,335	464,335	464,335	464,335
39	POLAR MILSATCOM (SPACE)	253,150	253,150	253,150	253,150
40	SPACE CONTROL TECHNOLOGY	97,701	97,701	102,701	101,701
41	COMBAT IDENTIFICATION TECHNOLOGY	27,252	27,252	29,252	28,852
42	NATO RESEARCH AND DEVELOPMENT	4,351	4,351	4,351	4,351
43	INTERNATIONAL SPACE COOPERATIVE R&D	632	632	632	632
45	INTEGRATED BROADCAST SERVICE	20,739	20,739	20,739	20,739
46	INTERCONTINENTAL BALLISTIC MISSILE	66,079	69,079	66,079	68,479
47	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	70,956	70,956	70,956	70,956
48	POLLUTION PREVENTION (DEM/VAL)	2,896	12,896	2,896	10,396
49	JOINT PRECISION APPROACH AND LANDING SYSTEMS	23,174	23,174	23,174	23,174
51	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	22,612	---	72,612	22,612
52	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM	20,891	20,891	20,891	20,891
53	JOINT DUAL ROLE AIR DOMINANCE MISSILE	6,882	6,882	6,882	6,882
54	REQUIREMENTS ANALYSIS AND MATURATION	35,533	35,533	35,533	35,533
55	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	18,778	18,778	18,778	18,778
56	ALTERNATIVE FUELS	89,020	94,020	69,020	73,020
57	AUTOMATED AIR-TO-AIR REFUELING	43,158	43,158	43,158	43,158
59	OPERATIONALLY RESPONSIVE SPACE	112,861	114,361	125,861	125,211
60	TECH TRANSITION PROGRAM	9,611	9,611	9,611	9,611

(In thousands of dollars)

		Budget	House	Senate	Recommendation
61	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SAT.	396,641	396,641	396,641	396,641
61A	NEXT GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT.....	---	---	50,000	50,000
	TOTAL, DEMONSTRATION & VALIDATION.....	1,795,884	1,793,772	1,895,884	1,858,534
	ENGINEERING & MANUFACTURING DEVELOPMENT				
62	GLOBAL BROADCAST SERVICE (GBS).....	31,124	31,124	31,124	31,124
63	NUCLEAR WEAPONS SUPPORT.....	37,860	42,860	37,860	41,860
65	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING.....	6,227	10,862	7,862	10,862
68	ELECTRONIC WARFARE DEVELOPMENT.....	97,275	97,275	80,275	80,275
69	TACTICAL DATA NETWORKS ENTERPRISE.....	88,444	88,444	82,944	87,444
70	PHYSICAL SECURITY EQUIPMENT.....	50	50	50	50
71	SMALL DIAMETER BOMB (SDB).....	153,815	155,815	153,815	155,415
72	COUNTERSPACE SYSTEMS.....	64,248	64,248	64,248	64,248
73	SPACE SITUATION AWARENESS SYSTEMS.....	308,134	207,834	269,534	239,534
74	AIRBORNE ELECTRONIC ATTACK.....	11,107	11,107	11,107	11,107
75	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD.....	512,642	526,442	512,642	526,442
76	THIRD GENERATION INFRARED SURVEILLANCE (3GIRS).....	143,169	39,169	143,169	73,369
77	ARMAMENT/ORDNANCE DEVELOPMENT.....	18,671	18,671	18,671	18,671
78	SUBMUNITIONS.....	1,784	1,784	1,784	1,784
79	AGILE COMBAT SUPPORT.....	11,261	11,261	11,261	11,261
80	LIFE SUPPORT SYSTEMS.....	10,711	11,911	14,111	14,331
81	COMBAT TRAINING RANGES.....	29,718	29,718	14,718	22,718
82	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A).....	10	9,010	10	6,960
83	INTELLIGENCE EQUIPMENT.....	1,495	1,495	1,495	1,495
84	JOINT STRIKE FIGHTER (JSF).....	1,858,055	2,073,055	1,780,055	2,073,055
85	INTERCONTINENTAL BALLISTIC MISSILE.....	60,010	60,010	60,010	60,010
86	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE).....	26,545	51,545	26,545	46,545
88	NEXT GENERATION AERIAL REFUELING AIRCRAFT.....	439,615	---	409,615	15,000
89	CSAR-X RDT&E.....	89,975	9,975	---	---
89a	HH-60 RDT&E.....	---	---	14,975	14,975

(In thousands of dollars)

		Budget	House	Senate	Recommendation
90	HC/MC-130 RECAP RDT&E	20,582	20,582	20,582	20,582
91	JOINT SIAP EXECUTIVE PROGRAM OFFICE	34,877	34,877	14,877	14,877
92	LINK-16 SUPPORT AND SUSTAINMENT	---	---	79,300	79,300
94	SINGLE INTEGRATED AIR PICTURE (SIAP)	13,466	13,466	13,466	13,466
95	FULL COMBAT MISSION TRAINING	99,807	99,807	79,807	79,807
97	JOINT CARGO AIRCRAFT (JCA)	9,353	9,353	9,353	9,353
98	CV-22	19,640	19,640	19,640	19,640
99	AIRBORNE SENIOR LEADER C3 (SLC3S)	20,056	20,056	20,056	20,056
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	4,219,726	3,771,446	4,004,961	3,865,616
	RDT&E MANAGEMENT SUPPORT				
100	THREAT SIMULATOR DEVELOPMENT	27,789	27,789	27,789	27,789
101	MAJOR T&E INVESTMENT	60,824	63,324	67,824	67,824
102	RAND PROJECT AIR FORCE	27,501	27,501	29,501	29,101
104	INITIAL OPERATIONAL TEST & EVALUATION	25,833	25,833	25,833	25,833
105	TEST AND EVALUATION SUPPORT	736,488	736,488	755,788	746,488
106	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	14,637	14,637	14,637	14,637
107	SPACE TEST PROGRAM (STP)	47,215	47,215	47,215	47,215
108	FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL	52,409	60,409	52,409	58,809
109	FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT	29,683	29,683	34,683	33,683
110	ACQUISITION AND MANAGEMENT SUPPORT	18,947	18,947	18,947	18,947
111	GENERAL SKILL TRAINING	1,450	1,450	1,450	1,450
113	INTERNATIONAL ACTIVITIES	3,748	3,748	3,748	3,748
	TOTAL, RDT&E MANAGEMENT SUPPORT	1,046,524	1,057,024	1,079,824	1,075,524
	OPERATIONAL SYSTEMS DEVELOPMENT				
114	COMMON VERTICAL LIFT SUPPORT PLATFORM	9,513	2,000	5,513	4,000
115	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	47,276	47,276	47,276	47,276
117	B-52 SQUADRONS	93,930	102,930	99,930	102,330
118	AIR-LAUNCHED CRUISE MISSILE (ALCM)	3,652	3,652	3,652	3,652
119	B-1B SQUADRONS	148,025	178,025	179,025	179,025
120	B-2 SQUADRONS	415,414	436,714	397,414	407,189

(In thousands of dollars)

	Budget	House	Senate	Recommendation
121 STRAT WAR PLANNING SYSTEM - USSTRATCOM	33,836	33,836	33,836	33,836
122 NIGHT FIST - USSTRATCOM	5,328	5,328	5,328	5,328
124 ATMOSPHERIC EARLY WARNING SYSTEM	9,832	9,832	9,832	9,832
125 REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION	25,734	25,734	25,734	25,734
126 STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	18	18	18	18
127 WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	11,996	11,996	11,996	11,996
128 MQ-9 UAV	39,245	109,245	39,245	91,745
129 MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	14,747	14,747	14,747	14,747
130 A-10 SQUADRONS	9,697	9,697	12,197	12,197
131 F-16 SQUADRONS	141,020	141,020	143,020	142,620
132 F-15E SQUADRONS	311,167	320,167	323,167	319,967
133 MANNED DESTRUCTIVE SUPPRESSION	10,748	10,748	8,748	9,748
134 F-22 SQUADRONS	569,345	569,345	569,345	569,345
135 TACTICAL AIM MISSILES	5,915	5,915	5,915	5,915
136 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	49,971	49,971	49,971	49,971
137 JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	2,529	2,529	2,529	2,529
138 COMBAT RESCUE - PARARESCUE	2,950	2,950	2,950	2,950
139 AF TENCAP	11,643	11,643	11,643	11,643
140 PRECISION ATTACK SYSTEMS PROCUREMENT	2,950	2,950	2,950	2,950
141 COMPASS CALL	13,019	13,019	13,019	13,019
142 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	166,563	157,563	154,563	156,963
143 CSAF INNOVATION PROGRAM	4,621	4,621	12,921	11,261
144 JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	29,494	29,494	29,494	29,494
145 AIR AND SPACE OPERATIONS CENTER (AOC)	99,405	101,405	103,405	102,605
146 CONTROL AND REPORTING CENTER (CRC)	52,508	52,508	52,508	52,508
147 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	176,040	176,040	176,040	176,040
149 ADVANCED COMMUNICATIONS SYSTEMS	63,782	63,782	63,782	63,782
151 COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	1,475	1,475	1,475	1,475
152 THEATER BATTLE MANAGEMENT (TBM) C4I	19,067	19,067	19,067	19,067

(In thousands of dollars)

	Budget	House	Senate	Recommendation
153 FIGHTER TACTICAL DATA LINK	72,106	72,106	62,106	67,106
155 C2ISR TACTICAL DATA LINK	1,667	1,667	1,667	1,667
156 COMMAND AND CONTROL (C2) CONSTELLATION	26,792	31,792	26,792	30,792
157 JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM	140,670	140,670	175,670	186,670
158 SEEK EAGLE	22,071	22,071	22,071	22,071
159 USAF MODELING AND SIMULATION	27,245	27,245	27,245	27,245
160 WARGAMING AND SIMULATION CENTERS	7,018	7,018	7,018	7,018
161 DISTRIBUTED TRAINING AND EXERCISES	6,740	6,740	6,740	6,740
162 MISSION PLANNING SYSTEMS	91,995	91,995	41,995	81,995
163 INFORMATION WARFARE SUPPORT	12,271	14,271	12,271	13,871
170 E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	26,107	26,107	26,107	26,107
172 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	72,694	72,694	72,694	72,694
173 INFORMATION SYSTEMS SECURITY PROGRAM	196,621	196,621	136,621	166,621
174 GLOBAL COMBAT SUPPORT SYSTEM	3,375	3,375	3,375	3,375
175 GLOBAL COMMAND AND CONTROL SYSTEM	3,149	7,149	3,149	6,349
176 JOINT COMMAND AND CONTROL PROGRAM (JC2)	3,087	3,087	---	---
177 MILSATCOM TERMINALS	257,693	257,693	257,693	257,693
179 AIRBORNE SIGINT ENTERPRISE	176,989	176,989	166,989	166,989
181 ADVANCED GEOSPATIAL INTELLIGENCE	---	---	6,500	5,200
182 GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	6,028	6,028	6,028	6,028
183 CYBER SECURITY INITIATIVE	2,065	2,065	7,065	2,065
184 SATELLITE CONTROL NETWORK (SPACE)	20,991	20,991	20,991	20,991
185 WEATHER SERVICE	33,531	33,531	33,531	33,531
186 AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC)	9,006	9,006	12,006	11,406
187 AERIAL TARGETS	54,807	54,807	54,807	54,807
190 SECURITY AND INVESTIGATIVE ACTIVITIES	742	742	742	742
192 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	39	39	39	39
194 NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	137,692	137,692	137,692	137,692
195 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL)	52,039	52,039	52,039	52,039
197 SPACE AND MISSILE TEST AND EVALUATION CENTER	3,599	3,599	3,599	3,599

(In thousands of dollars)

	Budget	House	Senate	Recommendation
198 SPACE WARFARE CENTER	3,009	3,009	3,009	3,009
199 SPACELIFT RANGE SYSTEM (SPACE)	9,957	9,957	9,957	9,957
200 INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS	1,240	2,240	1,240	2,240
202 ENDURANCE UNMANNED AERIAL VEHICLES	73,736	73,736	38,736	48,736
203 AIRBORNE RECONNAISSANCE SYSTEMS	143,892	145,892	143,892	145,492
204 MANNED RECONNAISSANCE SYSTEMS	12,846	15,346	12,846	14,846
205 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	82,765	82,765	82,765	82,765
206 PREDATOR UAV (JMIP)	18,101	24,301	22,101	23,776
207 RQ-4 UAV	317,316	317,316	317,316	317,316
208 NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)	8,160	8,160	8,160	8,160
209 GPS III SPACE SEGMENT	815,095	717,695	425,695	425,695
209 GPS CONTROL SEGMENT (OCX)	---	---	292,000	292,000
210 JSPOC MISSION SYSTEM	131,271	131,271	137,271	136,271
211 INTELLIGENCE SUPPORT TO INFORMATION WARFARE	5,267	5,267	5,267	5,267
213 NUDET DETECTION SYSTEM (SPACE)	84,021	84,021	84,021	84,021
214 NATIONAL SECURITY SPACE OFFICE	10,634	---	10,634	---
215 SPACE SITUATION AWARENESS OPERATIONS	54,648	54,648	54,648	54,648
216 NASS, IO TECHNOLOGY INTEGRATION & TOOL DEV	30,076	30,076	30,076	30,076
217 SHARED EARLY WARNING (SEW)	3,082	3,082	3,082	3,082
218 C-130 AIRLIFT SQUADRON	201,250	201,250	182,250	109,250
219 C-5 AIRLIFT SQUADRONS	95,266	95,266	85,266	85,266
220 C-17 AIRCRAFT	161,855	161,855	161,855	161,855
221 C-130J PROGRAM	30,019	30,019	30,019	30,019
222 LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	31,784	31,784	26,784	26,784
223 KC-135S	10,297	10,297	10,297	10,297
224 KC-10S	35,586	35,586	35,586	35,586
226 OPERATIONAL SUPPORT AIRLIFT	4,916	4,916	4,916	4,916
228 SPECIAL TACTICS / COMBAT CONTROL	8,222	10,222	10,222	11,422
229 DEPOT MAINTENANCE (NON-IF)	1,508	1,508	1,508	1,508

(In thousands of dollars)

	Budget	House	Senate	Recommendation
231 INDUSTRIAL PREPAREDNESS	---	4,000	1,000	4,000
232 LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	246,483	246,483	246,483	246,483
233 SUPPORT SYSTEMS DEVELOPMENT	6,288	12,788	38,188	38,258
234 OTHER FLIGHT TRAINING	805	805	805	805
235 JOINT NATIONAL TRAINING CENTER	3,220	3,220	3,220	3,220
236 TRAINING DEVELOPMENTS	1,769	1,769	1,769	1,769
237 OTHER PERSONNEL ACTIVITIES	116	116	116	116
238 JOINT PERSONNEL RECOVERY AGENCY	6,376	6,376	6,376	11,376
239 SERVICE-WIDE SUPPORT (NOT OTHERWISE ACCOUNTED FOR)	---	---	---	---
240 CIVILIAN COMPENSATION PROGRAM	8,174	8,174	8,174	8,174
241 PERSONNEL ADMINISTRATION	10,492	10,492	30,982	30,982
242 FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	55,991	55,991	55,991	55,991
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	6,796,817	6,848,770	6,642,020	6,731,333
999 CLASSIFIED PROGRAMS	11,955,084	12,148,484	12,064,884	12,121,644
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE	27,992,827	27,976,278	28,049,015	28,121,985

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Recommendation
1 DEFENSE RESEARCH SCIENCES	321,028	323,528	331,028	329,828
Process Integrated Mechanism for Human-Computer Collaboration and Coordination		1,000		800
Safeguarding End-User Military Software		1,500	5,000	4,000
Coal Transformation Laboratory			1,000	800
Development and Validation of Advanced Design Technologies for Hypersonic Research			2,000	1,600
Development of Deployable Biosensors			2,000	1,600
2 UNIVERSITY RESEARCH INITIATIVES	132,249	140,449	136,949	142,109
Cyber Security Research Program/Cyber Security Laboratory		1,500	1,000	1,200
Unmanned Aerial Systems Mission Planning and Operation Center		3,500		2,800
Energy and Sensor Informatics Research and Translation		1,000		800
Frank R. Seaver Science and Engineering Initiative		2,200		1,760
Cyber Innovation Center (CIC) Research and Development Seed Fund			1,000	800
Cybersecurity of Security Control Networks (Note: Includes transfer from O&M, Air Force)			1,700	1,700
High Temperature Hydrogen Energy Production Facility			1,000	800
7 MATERIALS	127,957	155,707	168,957	179,157
Accelerated Insertion of Advanced Materials and Certification for Military Aircraft Structure Material Substitution and Repair		2,500		2,000
Advanced Aerospace Carbon Foam Heat Exchangers		750	4,000	3,200
Aerospace Laser Micro Engineering Station		1,000		800
Fine Water Mist Fire Suppression Technology to Replace Halon		2,500		2,000
Gallium Nitride (GaN) Microelectronics and Materials		2,000		1,600
Institute for Science and Engineering Simulation/Aircraft Fatigue Modeling and Simulation		4,500	3,000	3,600
Large Area, APVT Materials Development for High Power Devices		2,000		1,600
Low-Defect Density Gallium Nitride Materials for High-Performance Electronic Devices		3,500		2,800
ONAMI Safer Nanomaterials and Nanomanufacturing		2,000	4,400	3,520
Partnership for Energy and Automation Technologies		2,000		1,600
Pennsylvania Nanomaterials Commercialization Center		1,000		800
Ultra-High Temperature Materials for Hypersonic Aerospace Vehicles		3,000		2,400
Carbon Nanomaterials for Advanced Aerospace Applications		1,000		800
Air Force Minority Leaders Program			6,000	4,800
Conducting Polymer Stress and Polymer Damage Sensors for Composites			3,600	2,880
Consortium for Nanomaterials for Aerospace Commerce and Technology (CONTACT)			4,000	3,200
Development of Mobile Wind Turbine Systems to Power Forward Bases			1,500	1,200
Energy Efficiency, Recovery and Generation (ENERGy)			1,000	1,000
Fire and Blast Resistant Materials for Force Protection			4,000	3,200
Hybrid Materials Integration (HMI)			2,500	2,000

R-1		Budget Request	House	Senate	Recommendation
	LGX High Temperature Acoustic Wave Sensors			2,000	1,600
	Lightning Protection of Composites			3,000	3,000
	Mid-IR Laser Materials			1,000	800
	Temperature Resistant Landing Pad Jet Blast Protection			1,000	800
8	AEROSPACE VEHICLE TECHNOLOGIES	127,129	129,129	138,529	139,149
	Unmanned Sense, Track, and Avoid Radar		2,000		1,600
	Materials Integrity Management Research for the Air Force			3,000	3,000
	UAV Sensor and Maintenance Development Center			4,900	3,920
	Unmanned Aerial System Exploitation			3,500	3,500
9	HUMAN EFFECTIVENESS APPLIED RESEARCH	85,122	85,122	96,122	93,922
	Advanced Night Vision System - Cockpit Integration			1,000	800
	Imaging Tools for Human Performance Enhancement and Diagnostics			2,000	1,600
	Center for UAS Research, Education and Training (Includes transfer from line number 206)			8,000	6,400
10	AEROSPACE PROPULSION	196,529	226,669	199,529	221,641
	Advanced Lithium Battery Scale-up and Manufacturing		2,000		1,600
	Advanced Vehicle Propulsion Center		3,000		2,400
	Aerospace Lab Equipment Upgrade		1,500		1,200
	AFRL Edwards Rocket Test Stand 2-A Technical Improvements (Includes transfer from line number 11)		1,500		3,200
	Development and Testing of Advanced Hybrid Rockets for Space Applications		3,500		2,800
	High Energy Li-Ion Technology for Aviation Batteries		1,500		1,200
	Integrated Engine Starter/Generator		2,000		1,600
	Integrated Propulsion Analysis and Spacecraft Engineering Tools (IPAT/ISET)		6,000		4,800
	Multi-Mode Propulsion Phase IIA: High Performance Green Propellant		2,000		1,600
	National Test Facility for Aerospace Fuels Propulsion		1,640		1,312
	Thermal and Energy Management for Aerospace		4,000	3,000	3,200
	Wavelength Agile Spectral Harmonic Oxygen Sensor and Cell-Level Battery Controller		1,500		1,200
	Energy Superior Lithium Battery Technology for Defense Applications			2,000	1,600
	HEETE - funded in P.L. 111-5			-5,000	-5,000
	Next Generation Solar Electric In-Space Propulsion			1,000	800
	Split Discharge Variable Delivery Pump for Military Aircraft			2,000	1,600
11	AEROSPACE SENSORS	121,768	129,768	135,668	136,588
	Advanced Electronic Components for Sensor Arrays		3,000		2,400
	Net-Centric Sensor Grids		3,000		2,400
	Watchkeeper		2,000		1,600
	Advanced Integrated Microsystems for Military Electronic Systems			3,100	2,480
	Edwards Rocket Test Stand 2-A Improvements (Transferred to line number 10)			4,000	
	Information Quality Tools for Persistent Surveillance Data Sets			1,800	1,440
	On-Chip Integrated Photonic Polymer Transceiver			5,000	4,500

R-1		Budget Request	House	Senate	Recommendation
12	SPACE TECHNOLOGY	104,148	116,248	110,148	119,628
	Advanced Modular Avionics for Operationally Responsive Satellite Use		3,100		2,480
	Center for Solar Electricity and Hydrogen		5,000		4,000
	Center for Space Entrepreneurship		2,000		1,600
	Mission Design and Analysis Tool		2,000		1,600
	AFRL Seismic Research Program			5,000	5,000
	Reconfigurable Electronics and Non-Volatile Memory Research			1,000	800
14	DIRECTED ENERGY TECHNOLOGY	105,677	106,677	99,927	106,477
	Hybrid Nanoparticle-based Coolant Technology Development and Manufacturing		1,000		800
	Chemical Laser Technology - authorization adjustment			-5,750	0
15	COMMAND CONTROL AND COMMUNICATIONS	0	2,500	0	2,000
	Efficient Utilization of Transmission Hyperspace		2,500		2,000
17	HIGH ENERGY LASER RESEARCH	52,754	61,254	46,654	53,454
	Advanced Deformable Mirrors for High Energy Laser Weapons		2,000		1,600
	High Bandwidth, High Energy Storage, Exawatt Laser Glass Development		3,500		2,800
	Planar Lightwave Circuit Development for High Power Military Laser Applications		3,000		2,400
	Chemical Laser Technology - authorization adjustment			-6,100	-6,100
18	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,901	56,301	64,501	71,901
	EMI Grid Fabrication Technology		3,000		2,400
	Hawaii Microalgae Biofuel Project		4,400		3,520
	Hybrid Bearings		1,000		800
	Metals Affordability Initiative		10,000	5,000	10,000
	Aircraft Evaluation Readiness Initiative			3,000	2,400
	Automated Processing of Advanced Low Observables (RAPALO)			1,500	1,200
	Military Waste-to-Energy Project using the Hydro-Thermal Energy Conversion (Hy-TEC) Process			2,000	1,600
	Sewage-Derived Biofuels Project			4,800	3,840
	SiC - RF Power for Airborne Avionics Systems			2,000	1,600
	Silicon Carbide Electronics Material Producibility Initiative			6,300	5,040
	Strategic Biofuels Supply System			2,000	1,600
20	ADVANCED AEROSPACE SENSORS	51,482	53,482	51,482	53,082
	Reconfigurable Secure Computing		2,000		1,600
21	AEROSPACE TECHNOLOGY DEV/DEMO	76,844	91,844	76,844	88,594
	3D Bias Woven Perform Development		3,000		2,400
	Big Antennas Small Structures Efficient Tactical UAV		2,000		1,600
	Long-Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence		5,000		4,000
	Program Increase		5,000		3,750
22	AEROSPACE PROPULSION AND POWER TECHNOLOGY	175,676	191,176	178,676	189,576
	Algal-Derived Jet Fuel for Air Force Applications		3,000		2,700
	Bio-JP8 Fuel Development		5,000		4,000
	Renewable Hydrocarbon Fuels for Military Applications		2,500		2,000

R-1		Budget Request	House	Senate	Recommendation
	Small Turbofan Versatile Affordable Advanced Turbine Engine Program		4,000		3,200
	Texas Research Institute for Environmental Studies		1,000		800
	ADVENT - funded in P.L. 111-5			-6,000	-6,000
	Algal Biofuels for Aviation			3,000	2,400
	Methanol Fuel Cell Development for USAF Battlefield Renewable Integrated Tactical Energy System (BRITES)			3,000	2,400
	Silicon Carbide Power Modules for the F-35 Joint Strike Fighter			3,000	2,400
23	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	0	0	3,000	2,940
	Water for Injection and Air Purification with Carbon Nanotube Nanostructured Material			3,000	2,940
24	ELECTRONIC COMBAT TECHNOLOGY	31,021	32,521	31,021	32,221
	Advanced Electromagnetic Location of IEDs Defeat System		1,500		1,200
25	ADVANCED SPACECRAFT TECHNOLOGY	83,909	98,609	90,409	99,269
	Ballistic Missile Technology		2,000		1,600
	Domestic Manufacturing of 45nm Electronics		2,000	4,000	3,200
	Florida National Guard Total Force Integration		3,000		2,400
	Integrated Passive Electronic Components		1,700		1,360
	Micromachined Switches for Next Generation Modular Satellites		3,000		2,400
	Small Responsive Spacecraft at Low-Cost		3,000		2,400
	P-Net Ballistic Missile Technology			2,500	2,000
26	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	5,813	5,813	37,813	36,813
	FLASH Hyper-Dimensional Imaging for Near Space Surveillance and Ballistic Missile Defense			2,000	2,000
	Maui Space Surveillance System Operations and Research			20,000	19,500
	PanSTARRS			10,000	9,500
28	CONVENTIONAL WEAPONS TECHNOLOGY	14,356	16,556	14,356	16,116
	Body Armor Improved Ballistic Protection, Research and Development		2,200		1,760
29	ADVANCED WEAPONS TECHNOLOGY	30,056	30,056	44,556	44,996
	Advanced Fiber Lasers Systems and Components			4,000	3,200
	Applications of LIDAR to Vehicles with Analysis			6,500	6,000
	Real-time Optical Surveillance Applications			4,000	3,500
	Advanced Tactical Laser (Note: transferred from Senate General Provision 8122)				2,240
30	MANUFACTURING TECHNOLOGY PROGRAM	39,913	41,913	44,913	45,513
	Production of Nanocomposites for Aerospace Applications		2,000		1,600
	Next Generation Casting Initiative			5,000	4,000
32	C3I ADVANCED DEVELOPMENT	0	4,000	2,900	6,900
	Cyber Attack and Security Environment (Note: Includes transfer from line number 183)		4,000		4,000
	MPOI for Battlespace Information Exchange			2,900	2,900

R-1		Budget Request	House	Senate	Recommendation
34	INTELLIGENCE ADVANCED DEVELOPMENT	5,009	6,009	5,009	5,809
	Multilingual Text Mining Platform for Intelligence Analysts		1,000		800
40	SPACE CONTROL TECHNOLOGY	97,701	97,701	102,701	101,701
	Space Situational Awareness			5,000	4,000
41	COMBAT IDENTIFICATION TECHNOLOGY	27,252	27,252	29,252	28,852
	Advanced Fast Steering Mirror Applications for 3-D LADAR in LITENING Pod			2,000	1,600
46	INTERCONTINENTAL BALLISTIC MISSILE	66,079	69,079	66,079	68,479
	Minuteman III Advanced Third Stage Domestic Fiber Motor Case Development		3,000		2,400
48	POLLUTION PREVENTION (DEM/VAL)	2,896	12,896	2,896	10,396
	Program Increase		10,000		7,500
51	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	22,612	0	72,612	22,612
	Early to need		-22,612		0
	RTIP development for large aircraft platform			50,000	0
56	ALTERNATIVE FUELS	89,020	94,020	69,020	73,020
	Synthetic Liquid Fuels		3,000		2,400
	Advance Propulsion Non-Tactical Vehicle		2,000		1,600
	Excess to need			-20,000	-20,000
59	OPERATIONALLY RESPONSIVE SPACE	112,861	114,361	125,861	125,211
	Micro-Satellite Serial Manufacturing to Include Academic Outreach Educational Program		1,500		1,200
	Low-Earth Orbit Nanosatellite Integrated Defense Autonomous Systems (LEONIDAS)			5,000	4,750
	Rapid Small Satellite Development Test Facilities			2,000	1,600
	Space Sensor Data Link Technology			6,000	4,800
61A	NEXT GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT			50,000	50,000
	Next generation MILSATCOM technology development (Transferred from Missile Procurement, Air Force line number 16)			50,000	50,000
63	NUCLEAR WEAPONS SUPPORT	37,860	42,860	37,860	41,860
	Nuclear Enterprise Surety Tracking		5,000		4,000
65	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,227	10,862	7,862	10,862
	Improved Brake System Program Termination		-2,365	-2,365	-2,365
	AT-6B Demonstration for ANG		7,000	4,000	7,000
68	ELECTRONIC WARFARE DEVELOPMENT	97,275	97,275	80,275	80,275
	MALD-J excess to Air Force requirement			-17,000	-17,000
69	TACTICAL DATA NETWORKS ENTERPRISE	88,444	88,444	82,944	87,444
	Excess to need			-10,000	-5,000
	Global UAS Networking and Interoperability System (GUNIS)			4,500	4,000
71	SMALL DIAMETER BOMB (SDB)	153,815	155,815	153,815	155,415
	High Pressure Pure Air Generator System		2,000		1,600

R-1		Budget Request	House	Senate	Recommendation
73	SPACE SITUATION AWARENESS SYSTEMS	308,134	207,834	269,534	239,534
	Space Fence Program Reduction		-45,200		-30,000
	Space Based Space Surveillance Follow-on		-55,100	-36,700	-36,700
	High Accuracy Network Determination System-Intelligent Optical Network for Space Situational Awareness (Includes transfer from RDT&E, Defense-Wide line number 34)			5,000	5,000
	Space Surveillance Telescope (SST)			-6,900	-6,900
75	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	512,642	526,442	512,642	526,442
	Ground Development (Transferred from line number 76)		13,800		13,800
76	THIRD GENERATION INFRARED SURVEILLANCE (3GIRS)	143,169	39,169	143,169	73,369
	Third Generation Infrared System		-90,200		-56,000
	Ground Development (Transfer to line number 75)		-13,800		-13,800
80	LIFE SUPPORT SYSTEMS	10,711	11,911	14,111	14,331
	Program Increase - Bomber Crew Safety Study		1,200		900
	ACES 5 Ejection Seat			2,400	1,920
	Backpack Medical Oxygen System (BMOS)			1,000	800
81	COMBAT TRAINING RANGES	29,718	29,718	14,718	22,718
	ACTS Range Threat Systems - program delay			-15,000	-10,000
	P5CTS Equipment for the MT Joint Training Environment (Transferred from Aircraft Procurement, Air Force line number 85)				3,000
82	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	10	9,010	10	6,960
	Distributed Mission Interoperability Toolkit (DMIT)		4,000		3,200
	Program Increase		5,000		3,750
84	JOINT STRIKE FIGHTER (JSF)	1,858,055	2,073,055	1,780,055	2,073,055
	Alternate Engine Development		215,000		215,000
	Excess to need			-78,000	0
86	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	26,545	51,545	26,545	46,545
	Program Increase		25,000		20,000
88	NEXT GENERATION AERIAL REFUELING AIRCRAFT	439,615	0	409,615	15,000
	Transferred to Title VIII		-439,615		-394,615
	Contract award delay			-30,000	-30,000
89	CSAR-X RDT&E	89,975	9,975	0	0
	Program terminated		-80,000		0
	Air Force requested transfer to line number 89A and Aircraft Procurement, Air Force line number 14			-89,975	-89,975
89A	HH-60 RDT&E			14,975	14,975
	HH-60 Replacements - Air Force requested transfer from line number 89			14,975	14,975
91	JOINT SIAP EXECUTIVE PROGRAM OFFICE	34,877	34,877	14,877	14,877
	Unjustified request			-20,000	-20,000

R-1		Budget Request	House	Senate	Recommendation
92	LINK-16 SUPPORT AND SUSTAINMENT	0	0	79,300	79,300
	DOD requested transfer from Title VI Rapid Acquisition Fund for BACN			79,300	79,300
95	FULL COMBAT MISSION TRAINING	99,807	99,807	79,807	79,807
	Contract award delay			-20,000	-20,000
101	MAJOR T&E INVESTMENT	60,824	63,324	67,824	67,824
	Eglin AFB Range Operations Control Center		2,500		2,000
	Holloman High Speed Test Track			7,000	5,000
102	RAND PROJECT AIR FORCE	27,501	27,501	29,501	29,101
	RAND Project Air Force			2,000	1,600
105	TEST AND EVALUATION SUPPORT	736,488	736,488	755,788	746,488
	Authorization increase - Test Resources Management Center			19,300	10,000
108	FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL	52,409	60,409	52,409	58,809
	Base Facility Energy Independence, Stewart Air National Guard Base		5,000		4,000
	Inter-Base Facility Energy Independence		3,000		2,400
109	FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT	29,683	29,683	34,683	33,683
	Sustainable Energy Vermont National Guard			5,000	4,000
114	COMMON VERTICAL LIFT SUPPORT PLATFORM	9,513	2,000	5,513	4,000
	Unjustified program/Excess to need		-7,513	-4,000	-5,513
117	B-52 SQUADRONS	93,930	102,930	99,930	102,330
	B-52 Tactical Data Link Capability		6,000	6,000	6,000
	Reconstitution of B-52 Nuclear Capability Study		3,000		2,400
119	B-1B SQUADRONS	148,025	178,025	179,025	179,025
	Transferred from Aircraft Procurement, Air Force line number 28		29,000	29,000	29,000
	B-1 AESA Radar Operational Utility Evaluation		1,000	2,000	2,000
120	B-2 SQUADRONS	415,414	436,714	397,414	407,189
	Program Increase		15,300		12,175
	B-2 Advanced Tactical Data Link		6,000	12,000	9,600
	EHF SATCOM Increment 2 - premature request			-30,000	-30,000
128	MQ-9 UAV	39,245	109,245	39,245	91,745
	Program Increase		70,000		52,500
130	A-10 SQUADRONS	9,697	9,697	12,197	12,197
	CAD/CAM Aircraft Structural Overhaul Work Center			2,500	2,500
131	F-16 SQUADRONS	141,020	141,020	143,020	142,620
	Thunder Radar Pod			2,000	1,600
132	F-15E SQUADRONS	311,167	312,167	323,167	319,967
	Corrosion Detection and Visualization Program		1,000		800
	F-15C AESA Classified Demo		8,000	12,000	8,000

R-1		Budget Request	House	Senate	Recommendation
133	MANNED DESTRUCTIVE SUPPRESSION	10,748	10,748	8,748	9,748
	Funding ahead of need			-2,000	-1,000
142	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	166,563	157,563	154,563	156,963
	F-135 Engine - Early to need		-12,000	-12,000	-12,000
	Senior Scout Communications Intelligence (COMINT) Capability Upgrade		3,000		2,400
143	CSAF INNOVATION PROGRAM	4,621	4,621	12,921	11,261
	Eagle Vision III Upgrades			6,000	4,800
	Multiband Realtime Hyperspectral Targeting Sensor			2,300	1,840
145	AIR AND SPACE OPERATIONS CENTER (AOC)	99,405	101,405	103,405	102,605
	COTS Technology for Space Command and Control		2,000	4,000	3,200
153	FIGHTER TACTICAL DATA LINK	72,106	72,106	62,106	67,106
	Excess to need			-10,000	-5,000
156	COMMAND AND CONTROL (C2) CONSTELLATION	26,792	31,792	26,792	30,792
	GAPS/AWS Horizontal Integration		5,000		4,000
157	JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM	140,670	140,670	175,670	186,670
	Re-engining program (Transferred from Aircraft Procurement, Air Force line number 59)			35,000	46,000
162	MISSION PLANNING SYSTEMS	91,995	91,995	41,995	81,995
	Program delay			-50,000	-10,000
163	INFORMATION WARFARE SUPPORT	12,271	14,271	12,271	13,871
	Electromagnetic Battlespace Management		2,000		1,600
173	INFORMATION SYSTEMS SECURITY PROGRAM	196,621	196,621	136,621	166,621
	Restructure of Cryptographic Modernization program			-35,000	-10,000
	Premature request			-25,000	-20,000
175	GLOBAL COMMAND AND CONTROL SYSTEM	3,149	7,149	3,149	6,349
	Command and Control Service Level Management (C2SLM) Program		4,000		3,200
176	JOINT COMMAND AND CONTROL PROGRAM (JC2)	3,087	3,087	0	0
	Program termination			-3,087	-3,087
179	AIRBORNE SIGINT ENTERPRISE	176,989	176,989	166,989	166,989
	ASIP RQ-4 program delay			-10,000	-10,000
181	ADVANCED GEOSPATIAL INTELLIGENCE	0	0	6,500	5,200
	Advanced Technical Intelligence Center (ATIC)			6,500	5,200
183	CYBER SECURITY INITIATIVE	2,065	2,065	7,065	2,065
	Cyber Attack and Security Environment (CASE) (Transferred to line number 32)			5,000	0
186	AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC)	9,006	9,006	12,006	11,406
	Transportable Transponder Landing System			3,000	2,400

R-1	Budget Request	House	Senate	Recommendation
200 INTELLIGENCE SUPPORT TO INFORMATION	1,240	2,240	1,240	2,240
Open Source Research Centers		1,000		1,000
202 ENDURANCE UNMANNED AERIAL VEHICLES	73,736	73,736	38,736	48,736
ISIS - authorization adjustment			-35,000	-25,000
203 AIRBORNE RECONNAISSANCE SYSTEMS	143,892	145,892	143,892	145,492
Multiple UAS Cooperative Concentrated Observation and Engagement Against a Common Ground Objective		2,000		1,600
204 MANNED RECONNAISSANCE SYSTEMS	12,846	15,346	12,846	14,846
Rivet Joint Services Oriented Architecture		2,500		2,000
206 PREDATOR UAV (JMIP)	18,101	24,301	22,101	23,776
Predator C		1,500		1,200
Center for UAS Research, Education and Training Infrastructure (Transferred to line number 9)		3,000		0
Program increase		1,700		1,275
Multi Sensor Detect, Sense and Avoid (MSDSA)			4,000	3,200
209 GPS III SPACE SEGMENT	815,095	717,695	425,695	425,695
GPS Control Segment (OCX)		-97,400		0
GPS Control Segment (OCX) (Transferred to line number 209A)			-389,400	-389,400
209A GPS Control Segment (OCX)			292,000	292,000
GPS Control Segment (OCX) (Transferred from line number 209 - reduction due to contract award delay)			292,000	292,000
210 JSPOC MISSION SYSTEM	131,271	131,271	137,271	136,271
Project Kamac - authorization adjustment			6,000	5,000
214 NATIONAL SECURITY SPACE OFFICE	10,634	0	10,634	0
Program transferred to O&M, Defense-Wide		-10,634		-10,634
218 C-130 AIRLIFT SQUADRON	201,250	201,250	182,250	109,250
Funded in prior year reprogramming			-19,000	-19,000
Air Force requested transfer to Aircraft Procurement, Air Force line number 52 for avionics modernization of special mission aircraft				-73,000
219 C-5 AIRLIFT SQUADRONS	95,266	95,266	85,266	85,266
C-5 RERP - program underexecution			-10,000	-10,000
222 LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	31,784	31,784	26,784	26,784
Program underexecution			-5,000	-5,000
228 SPECIAL TACTICS / COMBAT CONTROL	8,222	10,222	10,222	11,422
BATMAV Program Miniature Digital Data Link		2,000		1,600
Next Generation Simulation Training for Pararescue Forces			2,000	1,600
231 INDUSTRIAL PREPAREDNESS	0	4,000	1,000	4,000
Laser Peening for Friction Stir Welded Aerospace Structures		2,000		1,600
Wire Integrity Technology		2,000		1,600
Mobile Laser Systems for Aircraft Structures (MLSAS)			1,000	800

R-1	Budget Request	House	Senate	Recommendation
233 SUPPORT SYSTEMS DEVELOPMENT	6,288	12,788	38,188	38,258
Accelerator-Driven Non-Destructive Testing		2,000		2,000
ALC Logistics Integration Environment		1,000		800
Demonstration and Validation of Renewable Energy Technology		1,000		800
Technical Order Modernization Environment		1,500		1,200
Mitigating RoHS Lead-Free Issues in Aerospace Circuit Board Manufacturing		1,000		800
Alternative energy research and integration			25,000	18,450
Assessment of Alternative Energy for Aircraft Ground Equipment (AGE)			2,000	1,600
Freedom Fuels/Coal Fuel Alliance			4,900	3,920
Engine Health Management Plus Data Repository Center (Transferred from O&M, Air Force)				2,400
238 JOINT PERSONNEL RECOVERY AGENCY	6,376	6,376	6,376	11,376
Biometric Signature and Passive Physiological Monitoring (Transferred from RDT&E, Army line number 28)				5,000
241 PERSONNEL ADMINISTRATION	10,492	10,492	30,982	30,982
DIMHRS (OSD requested transfer from RDT&E, Defense-Wide line number 117)			20,490	20,490
999 CLASSIFIED PROGRAMS	11,955,084	12,148,484	12,064,884	12,121,644
Classified adjustment		-27,800	-30,200	1,600
Carbon Nanotube Enhanced Power Sources for Space		2,000		1,600
Remote Language-Independent Suspect Identification		3,200		2,560
Close Proximity Space Situational Awareness		1,000		800
Classified Program		215,000	140,000	160,000

AERIAL REFUELING TANKER PROGRAM

The recommendation includes $15,000,000 in Research, Development, Test and Evaluation, Air Force for program management and a general provision providing $291,715,000 in a Tanker Replacement Transfer Fund.

Not later than 10 days after the release of the final request for proposal soliciting bids for an aerial tanker replacement aircraft, the Secretary of the Air Force is directed to submit a report to the congressional defense committees that includes a description of changes from the draft proposal to the final request for proposal and the rationale for each change.

The Secretary of the Air Force is encouraged to pursue tanker recapitalization at a rate of 36 aircraft per year instead of 12 or 15 aircraft in the current plan. This quantity will recapitalize the fleet in one-third the time and allow for a rapid retirement of the aging KC–135 aircraft. Furthermore, a more accelerated procurement strategy will avoid the large sustainment and modernization costs associated with keeping the legacy KC–135 fleet in the inventory longer.

MODULAR AERIAL SPRAY SYSTEM (MASS) REPLACEMENT

The modular aerial spray system (MASS) is maintained by the Air Force Reserve and is the only fixed-wing aerial spray capability in the Department of the Defense. The current program is over 20 years old and is becoming increasingly difficult to maintain, leading to increased cost and the inability to conduct required missions. There is presently no recapitalization plan to replace the system. The Secretary of the Air Force is encouraged to pursue a recapitalization program in order to maintain this needed capability.

EVOLVED EXPENDABLE LAUNCH VEHICLE COMMON UPPER STAGE

The recommendation includes $20,000,000 to study options and begin research and development to achieve a common upper stage between the Atlas and Delta launch vehicle families. The Air Force is urged to develop a process to modify Delta IV RL–10 upper stage engines to the Atlas V RL–10 configuration to enable more efficient use of the existing RL–10 inventory. The study shall also investigate how to modify the upper stage(s) to enable Centaur and the Delta Cryogenic Second Stage to use a common RL–10 engine and other potential modifications to achieve a truly common upper stage.

EVOLVED EXPENDABLE LAUNCH VEHICLE SUSTAINMENT PLAN

The Secretary of the Air Force, in consultation with the Director of the National Reconnaissance Office, is directed to submit an Evolved Expendable Launch Vehicle sustainment plan as described in House Report 111–230 to the congressional defense committees with the fiscal year 2011 budget submission.

15-YEAR SPACE SYSTEM INVESTMENT STRATEGY

The recommendation supports language on a long-term space system investment strategy as described in House Report 111–230. The investment strategy is directed to span 15 years rather than the originally proposed 30 years. In addition, the Under Secretary of Defense (Acquisition, Technology and Logistics) is directed, in coordination with the Secretary of the Air Force and the Under Secretary of Defense (Intelligence), to deliver this Space System Investment Strategy to the congressional defense committees not later than May 1, 2010. As necessary, the report should contain a classified appendix.

NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM

There is concern about the executability and management of the National Polar-orbiting Operational Environmental Satellite System (NPOESS) program. Therefore, it is directed that not more than 50 percent of the funds made available to the Department of Defense for the NPOESS program shall be obligated or expended until the Under Secretary of Defense (Acquisition, Technology and Logistics) certifies in writing to the congressional defense committees that the NPOESS program is being executed in support of the requirements, timelines and acquisition policies needed to meet Department of Defense missions.

The Secretary of Defense is directed, in consultation with the National Oceanic and Atmospheric Administration and the National Aeronautics and Space Administration, to perform an independent cost analysis of all recommended programmatic and acquisition alternatives. This analysis shall be submitted to the Committee on Appropriations, Subcommittees on Defense and Commerce, Justice, Science and Related Agencies, of both the House and Senate, in addition to any other congressional oversight committee before any contract changes are signed and any major documents are revised by the government.

OPERATIONALLY RESPONSIVE SPACE

The Director of the Operationally Responsive Space program office is urged to provide the congressional defense committees with independent cost, schedule and performance estimates prior to initiating any satellite development activity.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For Research, Development, Test and Evaluation, Defense-Wide, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE				
	BASIC RESEARCH				
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH..	48,544	48,544	33,544	41,044
2	DEFENSE RESEARCH SCIENCES.....	226,125	242,825	194,218	206,778
3	GOVT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH....	---	5,000	---	4,800
5	NATIONAL DEFENSE EDUCATION PROGRAM.....	89,980	89,980	69,980	79,980
6	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	58,974	79,474	67,874	79,094
	TOTAL, BASIC RESEARCH.....	423,623	465,823	365,616	411,696
	APPLIED RESEARCH				
7	INSENSITIVE MUNITIONS--EXPLORATORY DEVELOPMENT.....	22,669	18,961	15,112	18,961
9	HISTORICALLY BLACK COLLEGES & UNIV (HBCU) SCIENCE.....	15,164	65,521	18,464	67,096
10	LINCOLN LABORATORY RESEARCH PROGRAM.....	34,034	34,034	34,034	34,034
11	INFORMATION AND COMMUNICATIONS TECHNOLOGY.....	282,749	285,749	255,931	273,331
12	COGNITIVE COMPUTING SYSTEMS.....	142,840	144,840	142,840	144,840
13	BIOLOGICAL WARFARE DEFENSE.....	40,587	40,587	40,587	40,587
14	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	209,072	226,572	215,972	225,772
15	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT.....	4,940	4,940	---	---
16	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	9,446	9,446	7,946	7,946
17	TACTICAL TECHNOLOGY.....	276,075	276,075	241,125	249,725
18	MATERIALS AND BIOLOGICAL TECHNOLOGY.....	268,859	268,959	272,359	271,339
19	ELECTRONICS TECHNOLOGY.....	223,841	225,841	170,154	180,154
20	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.....	219,130	220,630	221,530	222,250
21	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT.....	27,384	33,884	24,884	30,734
22	SOF MEDICAL TECHNOLOGY DEVELOPMENT.....	---	3,000	---	2,400
	TOTAL, APPLIED RESEARCH.....	1,776,790	1,861,039	1,660,938	1,769,169

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	ADVANCED TECHNOLOGY DEVELOPMENT				
23	JOINT MUNITIONS ADVANCED TECH INSENSITIVE MUNITIONS AD	23,538	16,754	10,428	13,644
24	SO/LIC ADVANCED DEVELOPMENT	43,808	43,808	43,808	43,808
25	COMBATING TERRORISM TECHNOLOGY SUPPORT	81,868	102,368	106,268	118,108
26	COUNTERPROLIFERATION INITIATIVES--PROLIF PREV & DEFEAT	233,203	241,203	233,203	239,923
27	BALLISTIC MISSILE DEFENSE TECHNOLOGY	109,760	109,760	104,760	190,260
28	JOINT ADVANCED CONCEPTS	7,817	3,909	7,817	3,909
29	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	23,276	23,276	23,276	23,276
30	ADVANCED AEROSPACE SYSTEMS	338,360	338,360	249,360	259,360
31	SPACE PROGRAMS AND TECHNOLOGY	200,612	202,612	189,312	190,912
32	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	282,235	297,735	296,235	300,935
33	JOINT ELECTRONIC ADVANCED TECHNOLOGY	10,838	10,838	10,838	10,838
34	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	198,352	202,352	143,467	169,952
35	NETWORKED COMMUNICATIONS CAPABILITIES	28,212	28,212	28,212	28,212
36	JOINT DATA MANAGEMENT RESEARCH	4,935	4,935	4,935	4,935
37	BIOMETRICS SCIENCE AND TECHNOLOGY	10,993	10,993	10,993	10,993
38	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV	11,480	11,480	9,980	10,480
39	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	14,638	16,638	24,638	23,738
40	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	9,110	11,610	9,110	11,110
41	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	19,043	34,043	42,643	52,123
42	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,356	29,356	29,356	29,356
43	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	69,175	69,175	67,675	67,675
44	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	26,310	51,810	55,210	70,830
45	JOINT WARFIGHTING PROGRAM	11,135	11,135	11,135	11,135
46	ADVANCED ELECTRONICS TECHNOLOGIES	205,912	207,912	179,907	194,907
47	SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECT.	4,864	4,864	4,864	4,864
49	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	221,286	221,286	245,186	237,406
50	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	293,476	293,476	270,326	270,326
52	CLASSIFIED DARPA PROGRAMS	186,526	186,526	178,326	178,326
53	NETWORK-CENTRIC WARFARE TECHNOLOGY	135,941	135,941	135,941	138,941

(In thousands of dollars)

		Budget	House	Senate	Recommendation
54	SENSOR TECHNOLOGY	243,056	243,056	223,800	223,800
55	GUIDANCE TECHNOLOGY	37,040	37,040	37,040	37,040
56	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	13,822	13,822	13,822	13,822
57	SOFTWARE ENGINEERING INSTITUTE	31,298	31,298	31,298	31,298
59	QUICK REACTION SPECIAL PROJECTS	107,984	92,984	69,484	74,184
60	JOINT EXPERIMENTATION	124,480	107,380	109,480	106,800
61	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	38,505	38,505	34,505	34,505
62	TEST & EVALUATION SCIENCE & TECHNOLOGY	95,734	95,734	95,734	95,734
63	TECHNOLOGY TRANSFER	2,219	12,219	8,319	13,669
65	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	31,675	57,175	36,975	56,965
66	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	3,544	3,544	3,544	3,544
67	SOF INFORMATION & BROADCAST SYSTEMS ADVANCED TECHNOLOG	4,988	4,988	4,988	4,988
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	3,570,404	3,660,112	3,396,198	3,606,631
	DEMONSTRATION & VALIDATION				
68	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	36,019	39,019	46,219	46,179
70	RETRACT LARCH	21,718	21,718	37,218	21,718
71	JOINT ROBOTICS PROGRAM	11,803	15,803	11,803	15,403
72	ADVANCE SENSOR APPLICATIONS PROGRAM	17,771	17,771	17,771	17,771
73	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	31,613	36,613	37,013	41,113
74	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	719,465	719,465	719,465	719,465
75	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	982,922	982,922	1,032,922	1,032,922
76	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	186,697	186,697	186,697	183,297
77	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	205,952	210,952	205,952	210,152
78	BALLISTIC MISSILE DEFENSE SENSORS	636,856	636,856	626,856	624,156
79	BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR	---	80,000	---	---
80	BALLISTIC MISSILE DEFENSE TEST & TARGETS	966,752	940,752	778,652	827,752
81	BALLISTIC MISSILE DEFENSE SYSTEMS CORE	369,145	358,645	358,145	360,645
82	SPECIAL PROGRAMS - MDA	301,566	286,566	251,566	251,566
83	AEGIS BMD	1,690,758	1,670,758	1,468,358	1,443,358
183	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	---	---	257,400	257,400

(In thousands of dollars)

	Budget	House	Senate	Recommendation
84 SPACE SURVEILLANCE & TRACKING SYSTEM	180,000	160,000	173,200	162,500
86 BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	12,549	12,549	12,549	12,549
87 BALLISTIC MISSILE DEFENSE C2BMC	340,014	340,014	340,014	336,514
88 BALLISTIC MISSILE DEFENSE HERCULES	48,186	48,186	48,186	48,186
89 BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	60,921	61,421	60,921	61,421
90 BALLISTIC MISSILE DEFENSE JOINT NATIONAL INTERGRATION	86,949	86,949	86,949	86,949
91 REGARDING TRENCH	6,164	6,164	6,164	6,164
92 SEA BASED X-BAND RADAR (SBX)	174,576	161,576	174,576	168,076
95 BMD EUROPEAN CAPABILITY	50,504	50,504	50,504	50,504
97 ISRAELI COOPERATIVE PROGRAMS	119,634	202,434	202,434	202,434
98 HUMANITARIAN DEMINING	14,687	14,687	14,687	14,687
99 COALITION WARFARE	13,885	13,885	13,885	13,885
100 DEPARTMENT OF DEFENSE CORROSION PROGRAM	4,887	6,387	21,487	22,287
101 DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	55,289	65,289	55,289	61,289
102 JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	18,577	3,577	18,577	11,077
103 HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RES	7,006	7,006	7,006	7,006
104 JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	19,744	19,744	19,744	19,744
105 JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM	16,972	16,972	16,972	16,972
106 REDUCTION OF TOTAL OWNERSHIP COST	24,647	24,647	24,647	24,647
107 JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,949	6,949	3,949	6,349
108 DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	28,862	28,862	28,862	28,862
109 NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	7,628	7,628	7,628	7,628
110 PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	166,913	166,913	166,913	166,913
TOTAL, DEMONSTRATION & VALIDATION	7,641,580	7,716,880	7,591,180	7,589,540
ENGINEERING & MANUFACTURING DEVELOPMENT				
111 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	332,895	339,895	296,595	301,575
112 JOINT ROBOTICS PROGRAM	5,127	5,127	5,127	5,127
113 ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	39,911	39,911	15,157	15,157
114 JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,633	20,633	20,633	20,633

(In thousands of dollars)

	Budget	House	Senate	Recommendation
115 WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	8,735	8,735	9,735	9,535
116 INFORMATION TECHNOLOGY DEVELOPMENT	11,705	15,205	11,705	14,505
117 DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	70,000	70,000	18,710	18,710
118 BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	197,008	197,008	192,508	192,508
119 HOMELAND PERSONNEL SECURITY INITIATIVE	395	395	395	395
120 OUSD(C) IT DEVELOPMENT INITIATIVES	5,000	5,000	5,000	5,000
121 TRUSTED FOUNDRY	41,223	41,223	51,223	51,223
122 DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM	4,267	4,267	4,267	4,267
123 GLOBAL COMBAT SUPPORT SYSTEM	18,431	18,431	18,431	18,431
124 JOINT COMMAND AND CONTROL PROGRAM (JC2)	49,047	49,047	---	---
125 WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE OFF	1,609	1,609	1,609	1,609
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	805,986	816,486	651,095	658,675
RDT&E MANAGEMENT SUPPORT				
126 GENERIC LOGISTICS TECHNOLOGY DEMONSTRATIONS	---	2,000	---	---
127 DEFENSE READINESS REPORTING SYSTEM (DRRS)	13,121	16,121	13,121	15,371
128 JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	15,247	15,247	7,430	11,339
129 CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	145,052	152,552	157,452	162,272
130 THERMAL VICAR	9,045	12,045	9,045	11,445
131 JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	9,455	9,455	9,455	9,455
132 TECHNICAL STUDIES, SUPPORT AND ANALYSIS	44,760	44,760	44,760	44,760
133 USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	4,914	4,914	4,914	4,914
134 FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	94,921	94,921	94,921	94,921
135 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	96,909	96,909	96,909	96,909
136 CLASSIFIED PROGRAM USD(P)	---	95,637	95,637	95,637
137 FOREIGN COMPARATIVE TESTING	35,054	35,054	35,054	35,054
138 NUCLEAR MATTERS - PHYSICAL SECURITY	6,474	6,474	6,474	6,474
139 SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	14,916	14,916	14,916	14,916
140 GENERAL SUPPORT TO USD (INTELLIGENCE)	5,888	5,888	5,888	5,888
141 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	106,477	106,477	106,477	106,477
147 SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTR	2,163	3,163	4,063	4,683

(In thousands of dollars)

	Budget	House	Senate	Recommendation
148 DEFENSE TECHNOLOGY ANALYSIS	11,005	11,805	11,005	11,805
150 FORCE TRANSFORMATION DIRECTORATE	19,981	24,981	19,981	23,981
151 DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	54,411	49,411	54,411	49,411
152 R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	19,554	19,554	19,554	19,554
153 DEVELOPMENT TEST AND EVALUATION	23,512	23,512	23,512	23,512
154 DARPA AGENCY RELOCATION	45,000	45,000	15,000	45,000
155 MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)	51,055	51,055	51,055	51,055
156 BUDGET AND PROGRAM ASSESSMENTS	5,929	5,929	5,929	5,929
157 AVIATION SAFETY TECHNOLOGIES	8,000	8,000	8,000	8,000
158 JOINT STAFF ANALYTICAL SUPPORT	1,250	1,250	1,250	1,250
161 SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	30,604	25,904	36,504	30,624
162 INFORMATION TECHNOLOGY RAPID ACQUISITION	4,667	4,667	4,667	4,667
163 CYBER SECURITY INITIATIVE	50,000	50,000	50,000	50,000
164 INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	20,648	22,648	20,648	20,648
166 WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	829	829	829	829
167 COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION	34,306	34,306	41,806	40,706
168 PENTAGON RESERVATION	19,709	---	19,709	19,709
169 MANAGEMENT HEADQUARTERS - MDA	57,403	52,403	57,403	52,403
170 IT SOFTWARE DEV INITIATIVES	980	980	980	980
TOTAL, RDT&E MANAGEMENT SUPPORT	1,063,239	1,148,767	1,148,759	1,180,578
OPERATIONAL SYSTEMS DEVELOPMENT				
171 DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	1,384	1,384	1,384	1,384
172 REGIONAL INTERNATIONAL OUTREACH & PARTNERSHIP FOR PEAC	2,001	2,001	2,001	2,001
173 OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SY	292	292	292	292
174 CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS D	6,198	6,198	6,198	6,198
175 JOINT INTEGRATION AND INTEROPERABILITY	46,214	46,214	46,214	46,214
177 CLASSIFIED PROGRAMS	2,179	2,179	2,179	2,179
178 C4I INTEROPERABILITY	74,786	74,786	74,786	74,786
180 JOINT/ALLIED COALITION INFORMATION SHARING	10,767	10,767	10,767	10,767

(In thousands of dollars)

	Budget	House	Senate	Recommendation
187 NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	548	548	548	548
188 DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATIO	17,655	17,655	17,655	17,655
189 LONG HAUL COMMUNICATIONS (DCS)	9,406	9,406	9,406	9,406
190 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	9,830	9,830	9,830	9,830
191 PUBLIC KEY INFRASTRUCTURE (PKI)	8,116	8,116	8,116	8,116
192 KEY MANAGEMENT INFRASTRUCTURE (KMI)	41,002	41,002	41,002	41,002
193 INFORMATION SYSTEMS SECURITY PROGRAM	13,477	13,477	15,477	15,077
194 INFORMATION SYSTEMS SECURITY PROGRAM	408,316	408,316	408,316	408,316
196 DISA MISSION SUPPORT OPERATIONS	1,205	1,205	1,205	1,205
197 C4I FOR THE WARRIOR	4,098	4,098	4,098	4,098
198 GLOBAL COMMAND AND CONTROL SYSTEM	23,761	23,761	34,761	34,761
199 JOINT SPECTRUM CENTER	18,944	18,944	18,944	18,944
200 NET-CENTRIC ENTERPRISE SERVICES (NCES)	1,782	1,782	1,782	1,782
201 JOINT MILITARY DECEPTION INITIATIVE	942	942	942	942
202 TELEPORT PROGRAM	5,239	5,239	5,239	5,239
203 SPECIAL APPLICATIONS FOR CONTINGENCIES	16,381	30,381	16,381	27,581
206 CYBER SECURITY INITIATIVE	993	993	993	993
208 CYBER SECURITY INITIATIVE	10,080	10,080	10,080	10,080
209 CRITICAL INFRASTRUCTURE PROTECTION (CIP)	12,725	12,725	17,725	16,725
215 POLICY R&D PROGRAMS	6,948	6,948	6,948	6,948
217 NET CENTRICITY	1,479	1,479	1,479	1,479
221 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,407	9,407	1,407	7,407
224 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,158	3,158	3,158	3,158
226 MQ-1 PREDATOR A UAV	2,067	2,067	2,067	2,067
228 HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,963	2,963	2,963	2,963
229 INT'L INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT	1,389	1,389	1,389	1,389
238 INDUSTRIAL PREPAREDNESS	20,514	28,014	50,514	46,514
239 LOGISTICS SUPPORT ACTIVITIES	2,798	2,798	2,798	2,798
240 MANAGEMENT HEADQUARTERS (JCS)	8,303	8,303	8,303	8,303
241 NATO AGS	74,485	74,485	66,485	69,485

(In thousands of dollars)

	Budget	House	Senate	Recommendation
242 MQ-9 UAV	4,380	4,380	4,380	4,380
245 SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	82,621	74,121	67,592	72,612
246 SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	6,182	2,594	7,494	6,874
247 SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	21,273	21,780	36,173	41,393
248 SOF OPERATIONAL ENHANCEMENTS	60,310	64,310	60,310	63,310
249 SPECIAL OPERATIONS CV-22 DEVELOPMENT	12,687	12,687	12,687	12,687
250 JOINT MULTI-MISSION SUBMERSIBLE	43,412	23,412	43,412	33,412
252 OPS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT	1,321	3,500	1,600	3,500
253 MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	3,192	3,192	3,192	3,192
254 UNMANNED VEHICLES (UV)	---	1,000	---	1,000
255 MC130J SOF TANKER RECAPITALIZATION	5,957	5,957	5,957	5,957
256 SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	733	733	733	733
257 SOF TACTICAL RADIO SYSTEMS	2,368	2,368	2,368	2,368
258 SOF WEAPONS SYSTEMS	1,081	1,081	1,081	1,081
259 SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	597	597	597	597
260 SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS	3,369	6,869	6,369	8,569
261 SOF TACTICAL VEHICLES	1,973	1,973	1,973	1,973
262 SOF ROTARY WING AVIATION	18,863	18,863	18,863	18,863
263 SOF UNDERWATER SYSTEMS	3,452	13,000	12,452	18,852
264 SOF SURFACE CRAFT	12,250	10,000	12,250	10,000
265 SOF PSYOP	9,887	9,887	9,887	9,887
266 SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,944	4,944	4,944	4,944
267 SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,547	11,547	11,547	11,547
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,186,231	1,202,127	1,239,693	1,266,363
999 CLASSIFIED PROGRAMS	4,273,689	4,050,489	4,355,489	4,264,429
DARPA UNDISTRIBUTED REDUCTION	---	-200,000	---	---
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE	20,741,542	20,721,723	20,408,968	20,747,061

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Recommendation
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH	48,544	48,544	33,544	41,044
	Excessive growth ahead of program assessment			-15,000	-7,500
2	DEFENSE RESEARCH SCIENCES	226,125	242,825	194,218	206,778
	Laboratory for Advanced Photonic Composites Research		1,600		1,280
	Hydrogen Fuel Cell Research		4,000		4,000
	Institute for Collaborative Sciences Research		2,600		2,080
	Science, Technology, Engineering and Mathematics Initiative		2,000		1,600
	Solid Oxide Fuel Technology		1,000		1,000
	American Museum of Natural History Infectious Disease Research		1,500		1,200
	Countermeasures to Combat Protozoan Parasites (Toxoplasmosis and Malaria)		2,000		1,600
	UAV Systems and Operations Validation Program (Transferred to line number 129)		2,000		0
	Fiscal year 2009 new start execution delays			-16,750	-16,750
	Reduction to requested fiscal year 2010 new starts			-20,057	-20,057
	Advanced Materials Research Institute (AMRI)			1,000	800
	Security Protection using Ballistic CORE Technology			3,900	3,900
3	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH	0	5,000	0	4,800
	High Efficiency Solar Energy Generation and Storage		1,000		800
	Integrated Cryo-cooled High Power Density Systems		4,000		3,200
	Center for Research on Minority Health Prostate Cancer Outreach Project		1,000		800
5	NATIONAL DEFENSE EDUCATION PROGRAM	89,980	89,980	69,980	79,980
	Premature funding increase			-20,000	-10,000
6	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	58,974	79,474	67,874	79,094
	Joint Services Aircrew Mask Don/Doff Inflight (Transferred to line number 111)		1,500		0
	Advanced Development of Antiviral Prophylactics and Therapeutics		3,000		3,000
	Countermeasures to Chemical and Biological Controls-Rapid Response		3,500		2,800
	MEMS Sensors for Real-Time Sensing of Weaponized Pathogens		2,500		2,000
	Mismatch Repair Drived Antibody Medicines to Treat Staphylococcus-derived Bioweapons		1,000		1,000
	Portable Rapid Bacterial Warfare Detection Unit		4,000	5,000	4,000
	Potent Human Monoclonal Antibodies Against BoNT A, B and E Suited for Mass Production and Treatment of Large Populations		1,000		1,000
	Synchrotron Beamline Experimental Station		4,000		3,200
	High Speed, High Volume Laboratory Network for Infectious Disease			2,000	1,600
	InVitro Models for Biodefense Vaccines			1,900	1,520

R-1		Budget Request	House	Senate	Recommendation
7	INSENSITIVE MUNITIONS--EXPLORATORY DEVELOPMENT	22,669	18,961	15,112	18,961
	Partial Program growth reduction		-3,708		-3,708
	P-204 - new start			-7,557	0
9	HISTORICALLY BLACK COLLEGES & UNIVERSITIES (HBCU) SCIENCE	15,164	65,521	18,464	67,096
	Reappropriation of fiscal year 2008 account level		34,457		34,457
	Program Increase		9,400		9,400
	Active Duty Training and Education Program		2,000		2,000
	Morehouse College, John H. Hopps Defense Research Scholars Program		3,000		2,400
	Thurgood Marshall College Fund Defense Leadership and Technology Initiative		1,500		1,200
	Instrumentation Program for Tribal Colleges			3,300	2,475
11	INFORMATION AND COMMUNICATIONS TECHNOLOGY	282,749	285,749	255,931	273,331
	High Speed Optical Interconnects for Next Generation Supercomputing		1,500		1,200
	Intelligent Remote Sensing for Urban Warfare Operations II		1,500		1,200
	Fiscal year 2009 new start execution delays			-8,196	-8,196
	Reduction to requested fiscal year 2010 new starts			-18,622	-18,622
	Fiscal year 2010 new starts				15,000
12	COGNITIVE COMPUTING SYSTEMS	142,840	144,840	142,840	144,840
	BioButanol Production Research		2,000		2,000
14	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	209,072	226,572	215,972	225,772
	Self-decontaminating Polymer System for Chemical and Biological Warfare Agents (Transferred to line number 111)		3,500		0
	Botulinum Neurotoxin Research		2,500		2,000
	Botulinum Toxin Treatment Therapy		1,000		800
	Chemical and Biological Agent Fate Appropriate Response Operational Tool		2,000		1,600
	Chemical and Biological Resistant Clothing		2,000		1,600
	Anti-viral vaccine development		4,500	1,000	3,600
	Miniaturized Chemical Detector for Chemical Warfare Protection		2,000		1,600
	Chemical and Biological Infrared Detection System			1,900	1,900
	Contaminated Human Remains Pouch			2,000	1,600
	PaintShield for Protecting People from Microbial Threats			2,000	2,000
15	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT	4,940	4,940	0	0
	Redundancy with other DoD programs			-4,940	-4,940
16	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	9,446	9,446	7,946	7,946
	Unexecutable growth			-1,500	-1,500

R-1		Budget Request	House	Senate	Recommendation
17	TACTICAL TECHNOLOGY	276,075	278,075	241,125	249,725
	Sea Catcher UAS Launch and Recovery System		2,000		1,600
	Fiscal year 2009 new start execution delays			-31,950	-31,950
	Reduction to requested fiscal year 2010 new starts			-24,000	-24,000
	Fiscal year 2010 new starts			12,000	20,000
	Center of Excellence for Research in Ocean Sciences (CEROS)			9,000	8,000
18	MATERIALS AND BIOLOGICAL TECHNOLOGY	268,859	268,959	272,359	271,339
	Moldable Fabric Armor (Transferred to RDT&E, Army line number 5)		2,800		0
	Photovoltaic Ribbon Solar Cell Technology Project		3,600		2,880
	Center for Nonproliferation Studies, Monterey Institute for International Affairs		2,000		1,600
	Bioinspired Sensors - excessive program growth		-5,000		-5,000
	Biological Interfaces - excessive program growth		-3,300		0
	Fiscal year 2009 new start execution delays			-2,000	-2,000
	Strategic Materials			5,500	5,000
19	ELECTRONICS TECHNOLOGY	223,841	225,841	170,154	180,154
	3-D Technology for Advanced Sensor Systems		2,000		2,000
	Fiscal year 2009 new start execution delays			-39,500	-39,500
	Reduction to requested fiscal year 2010 new starts			-26,187	-26,187
	Fiscal year 2010 new starts			12,000	20,000
20	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	219,130	220,630	221,530	222,250
	National Center for Blast Mitigation		1,500		1,200
	University Strategic Partnership			2,400	1,920
21	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	27,384	33,884	24,884	30,734
	Flashlight Soldier-to-Soldier Combat Identification System		4,500	2,000	4,500
	United States Special Operations Command - USSOCOM / STAR-TEC Partnership Program		2,000		1,600
	REITS unjustified new starts			-4,500	-2,750
22	SOF MEDICAL TECHNOLOGY DEVELOPMENT	0	3,000	0	2,400
	Personalized Medicine Initiative		3,000		2,400
23	JOINT MUNITIONS ADVANCED TECHNOLOGY, INSENSITIVE MUNITIONS - ADVANCED	23,538	16,754	10,428	13,644
	Partial Program growth reduction		-6,784	-10,000	-6,784
	P301 new start			-3,110	-3,110
25	COMBATING TERRORISM TECHNOLOGY SUPPORT	81,868	102,368	106,268	118,108
	Affordable Robust Mid-Sized Unmanned Ground Vehicle		2,000		1,600
	Comprehensive and Integrated Procedures for Risk Assessment and Resource Allocation		2,500		2,000
	Facility Security Using Tactical Surveys		4,500		3,600
	Integrated Rugged Checkpoint Container		2,500	1,600	2,000
	Low Cost Stabilized Turret		1,000		800
	Military/Law Enforcement Counterterrorism Test Bed		3,000		2,400
	Radio Inter-Operability System		2,000		1,600
	Ultra Low Profile EARS Gunshot Localization System		1,500		1,200
	Remote VBIED Detection and Defeat System		1,500		1,200

R-1		Budget Request	House	Senate	Recommendation
	BOPPER/COPPER - Bioterrorism Operations Policy for Public Emergency/Chemoterrorism Operations Policy for Public Emergency			1,000	1,000
	Covert Sensing and Tagging System			1,500	1,200
	Dynamic Data Flow Management System			2,000	1,600
	Emergency Egress System			2,000	1,600
	Expeditionary Surveillance and Reconnaissance Program			5,000	4,000
	IdentClarity-Identity Resolution			1,800	1,440
	MARCENT Thermal Imaging Suite			3,000	3,000
	Omni Directional Relay and Conformal Antenna			2,500	2,500
	Reconnaissance and Data Exploitation (REX) System			4,000	3,500
26	COUNTERPROLIFERATION INITIATIVES--PROLIFERATION PREVENTION & DEFEAT	233,203	241,203	233,203	239,923
	AELED IED/WMD Electronic Signature Detection		6,000		4,800
	New Drug Targets in Multi-Drug Resistant Bacteria (Transferred to RDT&E, Army line number 28)		2,000		0
	Recovery, Recycle and Reuse of DOE Metals for DoD Applications (Transferred from RDT&E, Army line number 32)				1,920
27	BALLISTIC MISSILE DEFENSE TECHNOLOGY	109,760	109,760	104,760	190,260
	Reduce program growth to support near-term missile defense programs		-5,000	-10,000	-7,500
	Advanced Battery Technology		2,000		1,600
	Missile Activity and Characteristics - Releasable		3,000		2,400
	Multiple-Target-Tracking Optical Sensor-Array Technology (MOST)			5,000	4,000
	Early Interceptor (Transferred from line number 79)				80,000
28	JOINT ADVANCED CONCEPTS	7,817	3,909	7,817	3,909
	Excessive program growth		-3,908		-3,908
30	ADVANCED AEROSPACE SYSTEMS	338,360	338,360	249,360	259,360
	Vulture contract award delay			-17,000	-17,000
	Reduction for high speed engines			-40,000	-30,000
	Rapid Eye excessive growth without acquisition strategy			-25,000	-25,000
	Reduction to requested fiscal year 2010 new starts			-7,000	-7,000
31	SPACE PROGRAMS AND TECHNOLOGY	200,612	202,612	189,312	190,912
	Mosaic Camera Technology Transition		2,000		1,600
	Fiscal year 2009 new start execution delays			-4,500	-4,500
	Reduction to requested fiscal year 2010 new starts			-6,800	-6,800
32	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEVELOPMENT	282,235	297,735	296,235	300,935
	Multi-target Shipping Container Interrogation System Mobile Continuous Air Monitor		2,000		1,600
	Hand-Held Apparatus for Mobile Mapping and Expedited Reporting		3,500		2,800
	Regenerative Filtration System for CBRN Defense		3,000		2,700
	Total Perimeter Surveillance		2,000		1,600
	Unified Management Infrastructure System		1,000		800
	Advanced Development of Mobile Rapid Response Prototypes		2,000	3,000	2,400
	Chemical and Biological Defense Program - Advanced Development		2,000		2,000

R-1		Budget Request	House	Senate	Recommendation
	Army Plant Vaccine Development Program			2,000	1,600
	Center for Advanced Emergency Response (Transferred to RDT&E, Army line number 28)			5,000	0
	NIDS Handheld Common Identifier for Biological Agents			3,000	2,400
	Water Purification System for Natural Disasters			1,000	800
34	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	198,352	202,352	143,467	169,952
	Distributed Network Switching and Security		2,000		1,600
	High Accuracy Network Determination System - Intelligent Optical Networks (Transferred to RDT&E, Air Force line number 73)		2,000		0
	Fiscal year 2010 JCTD New Starts			-54,885	-30,000
38	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT	11,480	11,480	9,980	10,480
	Unexecutable growth			-1,500	-1,000
39	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	14,638	16,638	24,638	23,738
	California Enhanced Defense Small Manufacturing Suppliers Program		2,000		1,600
	High Performance Manufacturing Technology Initiative			10,000	7,500
40	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	9,110	11,610	9,110	11,110
	Autonomous Control and Video Sensing for Robots		1,000		800
	Battle-Proven Packbot		1,500		1,200
41	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	19,043	34,043	42,643	52,123
	Aging Systems Sustainment and Enabling Technologies		3,000		2,400
	Progressive Research for Sustainable Manufacturing		1,500		1,200
	Reduced Cost Supply Readiness		1,500		1,200
	Alternative Energy from Organic Sources		6,000		6,000
	Cellulosic-Dervied Biofuels Research		3,000		2,400
	Biofuels Program			2,000	1,600
	Commodity Management Systems Consolidation Program			2,000	1,600
	Continuous Acquisition and Life-Cycle Support (CALS) Integrated Data Environment and Defense Logistics Enterprise Services Program (DLES)			4,000	3,200
	Fuel Cell Hybrid Battery Manufacturing for Defense Operations			1,000	800
	Fuelcell Locomotive			3,000	2,400
	Next Generation Manufacturing Technologies Initiative			2,000	1,600
	Vehicle Fuel Cell and Hydrogen Logistics Program			8,000	6,400
	Woody Biomass Conversion to JP-8 Fuel			1,600	1,280
	Radio Frequency Identification Technologies (Transferred from line number 63 and RDT&E, Navy line number 61)				1,000
43	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	69,175	69,175	67,675	67,675
	Execution adjustment			-1,500	-1,500

R-1		Budget Request	House	Senate	Recommendation
44	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	26,310	51,810	55,210	70,830
	3-D Electronics and Power		6,000		4,800
	AESA Technology Insertion Program		3,000		2,400
	Carbon Nanotube Thin Film Near Infrared Detector		2,000		1,600
	End to End Semi Fab Alpha Tool		2,000		1,600
	Feature Size Yield Enhancement Advanced Reconfigurable Manufacturing for Semiconductors Foundry		3,000		2,400
	Heterogeneous Gallium Nitride/Silicon Microcircuit Technology		2,000		1,600
	Spintronics Memory Storage Technology		3,500		2,800
	Superconducting Quantum Information Technology		1,000		800
	X-Band/W-Band Solid State Power Amplifier		1,000		1,000
	Semiconductor Photomask Technology Infrastructure Initiative		2,000		1,600
	Electronics and Materials for Flexible Sensors and Transponders (EMFST)			6,000	4,800
	High Performance Tunable Materials - Combinatorial Development of Advanced Dielectrics			4,500	3,600
	Shipping Container Security System Field Evaluation			4,500	3,600
	Smart Bomb Targeting Radar System			2,900	2,320
	Tunable MicroRadio for Military Systems			7,000	5,600
	Vehicle and Dismount Exploitation Radar (VADER)			4,000	4,000
46	ADVANCED ELECTRONICS TECHNOLOGIES	205,912	207,912	179,907	194,907
	Hybrid Power Generating System		2,000		0
	Fiscal year 2009 new start execution delays			-11,000	-11,000
	Reduction to requested fiscal year 2010 new starts			-22,005	-22,005
	Institute of Advanced Flexible Manufacturing Systems			7,000	7,000
	Fiscal year 2010 new starts				15,000
49	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	221,286	221,286	245,186	237,406
	Program adjustment			20,000	13,000
	High Performance Computational Design of Novel Materials			3,900	3,120
50	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	293,476	293,476	270,326	270,326
	Fiscal year 2009 new start execution delays			-2,000	-2,000
	CCC-CLS execution delays			-18,150	-18,150
	Reduction to requested fiscal year 2010 new starts			-3,000	-3,000
52	CLASSIFIED DARPA PROGRAMS	186,526	186,526	178,326	178,326
	Program terminated by DARPA			-8,200	-8,200
53	NETWORK-CENTRIC WARFARE TECHNOLOGY	135,941	135,941	135,941	138,941
	Fiscal year 2009 new start execution delays			-9,500	-9,500
	Reduction to requested fiscal year 2010 new starts			-2,500	-2,500
	Fiscal year 2010 new starts			12,000	15,000
54	SENSOR TECHNOLOGY	243,056	243,056	223,800	223,800
	Fiscal year 2009 new start execution delays			-4,256	-4,256
	SEN-CLS execution delays			-10,000	-10,000
	Reduction to requested fiscal year 2010 new starts			-5,000	-5,000

R-1		Budget Request	House	Senate	Recommendation
59	QUICK REACTION SPECIAL PROJECTS	107,984	92,984	69,484	74,184
	Reduction from Technology Transition Initiative		-15,000		-10,000
	QRF fiscal year 2010 new starts			-15,000	-10,000
	RRF fiscal year 2010 new starts			-25,000	-15,000
	Small Craft Threat Identification Program			1,500	1,200
60	JOINT EXPERIMENTATION	124,480	107,380	109,480	106,800
	Reduction for National Center for Small Unit Excellence		-20,000	-5,000	-10,000
	Tidewater Full Scale Exercise		2,900		2,320
	Unexecutable program growth			-10,000	-10,000
61	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	38,505	38,505	34,505	34,505
	Unexecutable growth			-4,000	-4,000
63	TECHNOLOGY TRANSFER	2,219	12,219	8,319	13,669
	National Radio Frequency Research, Development and Technology Transfer		5,000	1,400	4,000
	Radio Frequency Identification Technologies (Transferred to line number 41)		1,000		0
	FirstLink Technology Transfer Program		3,000		2,400
	Program Increase		1,000		750
	Center for Innovation at Arlington			2,700	2,700
	MilTech Expansion Program			2,000	1,600
65	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	31,675	57,175	36,975	56,965
	Affordable Miniature FOPEN Radar for Special Operations Craft - Riverine		3,500		2,800
	Optical Surveillance Equipment		2,000		2,000
	Field Experiment Program for Special Operations		2,000		1,600
	CBRN Detection Unmanned Aircraft		2,000		1,600
	Intelligence, Surveillance, and Reconnaissance Global Sensors Architecture		2,000		1,600
	Partnership for Defense Innovation Wi-Fi Laboratory Testing and Assessment Center		1,500	3,500	2,800
	Program Increase Helicopter Situational Awareness and Survivability		12,500		10,000
	REITS unjustified new starts			-4,500	-2,750
	Advanced Distributed Aperture System (ADAS)/Hostile Fire Indicating System (HFIS)			1,300	1,040
	Antennas and other CNT Devices for Intelligence/Special Military			3,000	3,000
	Tiger Moth Air-Launched Off Board Sensing Small Unmanned Aerial System			2,000	1,600
68	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	36,019	39,019	46,219	46,179
	Under-Vehicle Inspection System		3,000	1,500	2,400
	Advance Detection of Special Nuclear Materials			2,000	2,000
	Pacific Data Conversion and Technology Program			2,000	2,000
	Wyoming Army National Guard Joint Training and Experimentation Center (JTEC)			4,700	3,760
70	RETRACT LARCH	21,718	21,718	37,218	21,718
	Program adjustment (Transferred to RDT&E, Navy line number 37)			15,500	0

R-1		Budget Request	House	Senate	Recommendation
71	JOINT ROBOTICS PROGRAM	11,803	15,803	11,803	15,403
	Autonomous Machine Vision for Mapping and Investigation of Remote Sites		2,000		1,600
	Joint Robotics Training Program		2,000		2,000
73	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	31,613	36,613	37,013	41,113
	Environmentally Friendly Nanometal Electroplating Processes for Cadmium and Chromium Replacement		3,000		3,000
	Wellhead Treatment of Perchlorate Contaminated Wells		2,000		1,600
	Alternative Energy Study			1,400	1,400
	Inland Empire Perchlorate Remediation			4,000	3,500
75	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	982,922	982,922	1,032,922	1,032,922
	GBI vendor base sustainment			50,000	50,000
76	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	186,697	186,697	186,697	183,297
	Support for FTS-01				-3,400
77	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	205,952	210,952	205,952	210,152
	Automated Sample Preparation for Biological Detection		1,000		800
	Broad Spectrum Therapeutic Countermeasures to OP Nerve Agents		2,000		1,600
	Tactical, Cargo, and Rotary Wing Aircraft Decon		2,000		1,800
78	BALLISTIC MISSILE DEFENSE SENSORS	636,856	636,856	626,856	624,156
	Replacement Patriot Launcher Pad for Japan - MDA requested adjustment			[2,500]	[2,500]
	System Engineering and Unifying Missile Defense Functions-reduce program growth to support near-term missile defense programs			-10,000	-10,000
	Support for FTS-01				-2,700
79	BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR	0	80,000	0	0
	Program Increase - Early Interceptor Program (Transferred to line number 27)		80,000		0
80	BALLISTIC MISSILE DEFENSE TEST & TARGETS	966,752	940,752	778,652	827,752
	Target Synchronization with Test Schedule		-26,000		0
	Premature Request			-151,100	-135,800
	STSS Targets - FTS-01			-37,000	-3,200
81	BALLISTIC MISSILE DEFENSE SYSTEMS CORE	369,145	358,645	358,145	360,645
	General Reduction		-25,000	-15,000	-20,000
	Next Generation Sensor Producability-Flight 2		10,000		7,500
	Advanced Decision Support System		2,500		2,000
	Miniature Divert and Altitude Controls System Thruster		2,000		1,600
	Advanced Composite Radome			4,000	3,200
	Support for FTS-01				-2,800
82	SPECIAL PROGRAMS - MDA	301,566	286,566	251,566	251,566
	Program decrease due to excessive growth		-15,000	-50,000	-50,000

R-1		Budget Request	House	Senate	Recommendation
83	AEGIS BMD	1,690,758	1,670,758	1,468,358	1,443,358
	New Operational Configuration for six additional Aegis Crusiers and New Missile Type for Block 5.2 not determined		-50,000		-30,000
	Ballistic Signal Processor/Open Architecture		30,000		20,000
	Transfer to line 83A			-257,400	-257,400
	SM-3 Development			35,000	20,000
83A	AEGIS BMD SM-3 Block IIA co-development	0	0	257,400	257,400
	Transferred from line 83	0	0	257,400	257,400
84	SPACE SURVEILLANCE & TRACKING SYSTEM	180,000	160,000	173,200	162,500
	Demonstration Satellites		-20,000		-10,000
	Support for FTS-01			-6,800	-7,500
87	BALLISTIC MISSILE DEFENSE C2BMC	340,014	340,014	340,014	336,514
	Support for FTS-01				-3,500
89	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	60,921	61,421	60,921	61,421
	Independent Advisory Group to Review Ballistic Missile Defense Training Needs		500		500
92	SEA BASED X-BAND RADAR (SBX)	174,576	161,576	174,576	168,076
	General Reduction		-13,000		-6,500
97	ISRAELI COOPERATIVE PROGRAMS	119,634	202,434	202,434	202,434
	Arrow 3		12,500	12,500	12,500
	Arrow 2 Development		26,000	26,000	26,000
	Arrow 2 Co-Production		10,000	10,000	10,000
	David's Sling		34,300	34,300	34,300
100	DEPARTMENT OF DEFENSE CORROSION PROGRAM	4,887	6,387	21,487	22,287
	Corrosion Training Simulation Program		1,500		1,200
	Center for Education and Research on Corrosion and Materials Performance			2,000	1,600
	Department of Defense Corrosion Prevention and Control Program			14,600	14,600
101	DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	55,289	65,289	55,289	61,289
	Small Business Technology Insertion		10,000		6,000
102	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	18,577	3,577	18,577	11,077
	Reduction due to obligation and expenditure		-15,000		-7,500
107	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,949	6,949	3,949	6,349
	Lifetime Power for Wireless Control Sensors		1,000		800
	Secure, Miniaturized, Hybrid, Free Space, Optical Communications		2,000		1,600
111	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	332,895	339,895	296,595	301,575
	Chemical and Biological Threat Reduction Coating		3,000		2,400
	Detection and Remediation of Bio/Chemical Weapons Program		2,000		2,000
	Protective Self-Decontaminating Surfaces		2,000		1,600
	Lack of justification for core program growth			-47,400	-47,400

R-1		Budget Request	House	Senate	Recommendation
	Joint Services Aircrew Mask (JSAM) Don/Doff In-flight Upgrade (Includes transfer from line number 6)			3,000	2,400
	Self-Decontaminating Polymer System for Chemical and Biological Warfare Agents (Includes transfer from line number 14)			2,000	2,800
	Man Portable Sensors for Dismounted Reconnaissance			2,500	2,000
	Real Time Test Monitoring of Chemical Agents, Chemical Agent Stimulants and Toxic Industrial Chemicals			1,600	1,280
	Self-Contained Automated Vehicle Washing Systems with Microwave Decontamination			2,000	1,600
113	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	39,911	39,911	15,157	15,157
	Rapid Technology Insertion Fund			-24,754	-24,754
115	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	8,735	8,735	9,735	9,535
	Electric Grid Reliability/Assurance			1,000	800
116	INFORMATION TECHNOLOGY DEVELOPMENT	11,705	15,205	11,705	14,505
	National Terrorism Preparedness Institute, Anti-Terrorism/Counter-Terrorism Technology Development and Training		3,500		2,800
117	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	70,000	70,000	18,710	18,710
	Transfer to RDT&E, Army line number 117 for DIMHRS execution			-30,800	-30,800
	Transfer to RDT&E, Air Force line number 241 for DIMHRS execution			-20,490	-20,490
118	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	197,008	197,008	192,508	192,508
	DAI - Defer one major fielding			-4,500	-4,500
121	TRUSTED FOUNDRY	41,223	41,223	51,223	51,223
	Trusted Foundry			10,000	10,000
124	JOINT COMMAND AND CONTROL PROGRAM (JC2)	49,047	49,047	0	0
	Program adjustment			-38,047	-38,047
	Transfer to line number 198			-11,000	-11,000
126	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	0	2,000	0	0
	Integrated Analysis Environment (Transferred to line number 167)		2,000		0
127	DEFENSE READINESS REPORTING SYSTEM (DRRS)	13,121	16,121	13,121	15,371
	Program Increase		3,000		2,250
128	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	15,247	15,247	7,430	11,339
	Duplicate funding			-7,817	-3,908

R-1		Budget Request	House	Senate	Recommendation
129	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	145,052	152,552	157,452	162,272
	Gulf Range Mobile Instrumentation Capability		3,000		2,400
	Savannah CRTC Training Enabled Maneuver Instrumentation (STEM)		4,500		3,600
	Advanced SAM Hardware Simulator Development			4,000	4,000
	Border Security and Defense Systems Research			2,000	1,600
	Pacific Region Interoperability Test and Evaluation Capability			3,500	3,300
	UAV Systems and Operations Validation Program (Includes transfer from line number 2)			2,900	2,320
130	THERMAL VICAR	9,045	12,045	9,045	11,445
	Joint Gulf Range Complex Test and Training		3,000		2,400
136	CLASSIFIED PROGRAM USD(P)	0	95,637	95,637	95,637
	Classified Program USD(P)		95,637	95,637	95,637
147	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTRATION	2,163	3,163	4,063	4,683
	UAV Directed Energy Weapons Systems Payloads		1,000		1,000
	Random Obfuscating Compiler Anti-Tamper Software			1,900	1,520
148	DEFENSE TECHNOLOGY ANALYSIS	11,005	11,805	11,005	11,805
	Modeling and Simulation Standards Study		800		800
150	FORCE TRANSFORMATION DIRECTORATE	19,981	24,981	19,981	23,981
	Rigid Aeroshell Variable Buoyancy Air Vehicle		5,000		4,000
151	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	54,411	49,411	54,411	49,411
	General Reduction		-5,000		-5,000
154	DARPA AGENCY RELOCATION	45,000	45,000	15,000	45,000
	Delay to project initiation			-30,000	0
161	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	30,604	25,904	36,504	30,624
	Excess Funding		-4,700		-4,700
	Enhanced Simulation for Information Operations Capabilities			5,900	4,720
164	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	20,648	22,648	20,648	20,648
	Biological and Chemical Warfare Online Repository of Technical Holdings (Transferred to line number 999)		2,000		0
167	COCOM EXERCISE ENGAGEMENT AND TRAINING	34,306	34,306	41,806	40,706
	Agile Software Capability Intervention (ASCI)			1,500	1,200
	Integrated Analysis Environment (Includes transfer from line number 126)			2,000	2,000
	Playas Training and Research Center			4,000	3,200
168	PENTAGON RESERVATION	19,709	0	19,709	19,709
	Duplicative Maintenance and Facilities Support Costs for FOB 2		-19,709	0	0
169	MANAGEMENT HEADQUARTERS - MDA	57,403	52,403	57,403	52,403
	General Reduction		-5,000		-5,000

R-1		Budget Request	House	Senate	Recommendation
193	INFORMATION SYSTEMS SECURITY PROGRAM	13,477	13,477	15,477	15,077
	IASTAR Federal Information Security Management Act Compliance			2,000	1,600
198	GLOBAL COMMAND AND CONTROL SYSTEM	23,761	23,761	34,761	34,761
	Transfer from line number 124 for program enhancements			11,000	11,000
203	SPECIAL APPLICATIONS FOR CONTINGENCIES	16,381	30,381	16,381	27,581
	Advanced Technologies Sensors and Payloads/Unattended SIGINT Node		6,000		4,800
	Comprehensive Maritime Domain Awareness		4,000		3,200
	GMTI Radar for Class II UAVs		1,000		800
	UAV/UAS Test Facility		3,000		2,400
209	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	12,725	12,725	17,725	16,725
	Disaster Response: Communications and Other Infrastructure Restoration			5,000	4,000
221	DISTRIBUTED COMMON GROUND/SURFACE	1,407	9,407	1,407	7,407
	Program Increase - DCGS Capabilities Modernization		8,000		6,000
238	INDUSTRIAL PREPAREDNESS	20,514	28,014	50,514	46,514
	Copper-base Casting Technology Applications		2,000		1,600
	Corrosion Resistant Ultrahigh-Strength Steel for Landing Gear		2,000		1,600
	DLA VetBiz Initiative for National Sustainment		1,000		800
	Northwest Manufacturing Initiative		2,500		2,000
	Industrial Base Innovation Fund			30,000	20,000
241	NATO AGS	74,485	74,485	66,485	69,485
	Excess to requirement			-8,000	-5,000
245	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	82,621	74,121	67,592	72,612
	Avionics Modernization Program		-10,000	-20,029	-15,209
	Helicopter Cable Warning and Obstacle Avoidance		1,500		1,200
	EC-130J Multi-Mission Upgrades			5,000	4,000
246	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	6,182	2,594	7,494	6,874
	SOF Resource Business Information System		-4,588	-4,588	-4,588
	Covert Waveform for Software Defined Radios		1,000	2,800	2,800
	SOC-R Armor Development for Small Arms Armor Piercing Ammo			3,100	2,480
247	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	21,273	21,780	36,173	41,393
	Counterproliferation Analysis and Planning System Program Review		-14,993		0
	Advanced, Long Endurance Unattended Ground Sensor Technologies		2,000	4,900	3,920
	Biometric Optical Surveillance System		5,000	6,000	6,000
	Counterproliferation Analysis and Planning System		5,000		4,000
	United States Special Operations Command SOCRATES High Assurance Platform Program		1,000		1,000
	University Multi-Spectral Laboratories		2,500		2,000
	Picoceptor and Processor for Man-portable Threat Warning			4,000	3,200

R-1		Budget Request	House	Senate	Recommendation
248	SOF OPERATIONAL ENHANCEMENTS	60,310	64,310	60,310	63,310
	USSOCOM Medical Research		4,000		3,000
250	JOINT MULTI-MISSION SUBMERSIBLE	43,412	23,412	43,412	33,412
	Fiscal year 2009 new start execution delays		-20,000		-10,000
252	OPS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT	1,321	3,500	1,600	3,500
	ASDS Program Termination		-1,321	-1,321	-1,321
	Lithium-ion Battery Safety Detection and Control of Impending Failures		1,500	1,600	1,500
	Material, Design and Fabrication Solutions for Advanced SEAL Delivery System External Structural Components		2,000		2,000
254	UNMANNED VEHICLES (UV)	0	1,000	0	1,000
	Hand-held, Lethal Small Unmanned Aircraft System		1,000		1,000
260	SOF VISUAL AUGMENTATION, LASERS & SENSOR SYSTEMS	3,369	6,869	6,369	8,569
	Miniature Day Night Sight for Crew Served Weapons		1,500		1,200
	Thermal Pointer/Illuminator for Force Protection		2,000		1,600
	ASIC Miniaturization for Lasers and Sensors Development			3,000	2,400
263	SOF UNDERWATER SYSTEMS	3,452	13,000	12,452	18,852
	Fiscal year 2009 new start execution delays		-1,452		0
	Alternative SOF Submersible Concept Design Study		1,000	1,000	1,000
	Non-Gasoline Burning Outboard Engine		1,900		1,520
	Technology for Shallow Water Special Operation Forces Mobility		3,600		2,880
	Transformer Technology for Combat Submersibles		4,500		3,600
	Future Dry Deck Shelter			5,500	4,400
	Undersea Special Warfare Engineering Support Office			2,500	2,000
264	SOF SURFACE CRAFT	12,250	10,000	12,250	10,000
	Fiscal year 2009 new start execution delays		-2,250		-2,250
999	CLASSIFIED PROGRAMS	4,273,689	4,050,489	4,355,489	4,264,429
	Classified Adjustments		-251,500	52,900	-57,100
	Laser Ablation Resonance Ionization Mass Spectrometer		3,000		2,400
	Portable Device for Latent Fingerprint Identification		1,800		1,440
	Advanced Scientific Missile Intelligence Preparation of the Battlespace		2,500		2,000
	Security for Critical Communication Networks		7,000		5,600
	Cybersecurity and Operational Identity Management		2,000		1,600
	Improving Support to the Warfighter		7,000		7,000
	MS GIS Educational and Research Program (Transferred to O&M Def-wide)		1,000		0
	Enhancement of Geo-location Systems		4,000		3,200
	Armed Forces Health and Food Supply Research			5,000	4,000
	Center for Intelligence and Security Studies			2,400	2,400
	Hawaii Advanced Laboratory for Information Integration			2,500	2,000
	Initiative to Advance Adaptive Petascale Supercomputing			10,000	8,000
	Intelligent Explosives Detection			4,000	3,200
	Technology Applications for Security Enhancement			3,000	3,000
	Biological and Chemical Warfare Online Repository of Technical Holdings (Includes transfer from line number 164)			2,000	2,000
	DARPA Undistributed Reduction		-200,000	0	0

DARPA NEW START PROGRAMS

The Defense Advanced Research Projects Agency's (DARPA's) fiscal year 2010 budget request includes $135,170,000 for new start programs, a significant increase over the $28,000,000 executed for new starts in fiscal year 2009 and the $16,000,000 executed for new starts in fiscal year 2008. The recently appointed Director of DARPA did not have an opportunity to adjust DARPA's fiscal year 2010 budget submission to reflect the new administration's priorities. Additionally, management changes instituted to address DARPA's historic budget execution challenges are likely to require some time before taking effect.

Therefore, the recommendation denies all funding for the requested new start programs. Instead, following the receipt of additional information from the new DARPA Director, the recommendation provides $85,000,000 in multiple program elements, as requested by the Director, for fiscal year 2010 new starts to be selected by the Director in fiscal year 2010. None of these funds may be obligated until the Director provides details to the congressional defense committees on the programs to be initiated, to include descriptions, program objectives, the expected duration of the DARPA effort and associated out-year funding requirements and planned technology readiness levels to be achieved by DARPA and Service transition partners. This is an exception to conventional budgeting procedures and the Director of DARPA is directed to use established budgeting procedures for its fiscal year 2011 budget submission.

RAPID EXPLOITATION OF INNOVATIVE TECHNOLOGIES IN ALL AREAS OF SCIENCE AND TECHNOLOGY

The recommendation provides $4,500,000 for fiscal year 2010 new starts in Rapid Exploitation of Innovative Technologies (REITS) and directs the Commander, Special Operations Command, to provide quarterly reports to the congressional defense committees on the use of any current fiscal year or prior year funds provided for REITS, to include individual project schedules, cost estimates and transition plans. The Commander, Special Operations Command, is further directed to submit an annual report to the congressional defense committees on the actual cost, schedule to complete and transition to operational use or further development for all projects for which REITS funds were executed.

GROUND-BASED MISSILE DEFENSE

In addition to the reporting requirements contained in Sections 232 and 233 of H.R. 2647, the National Defense Authorization Act for Fiscal Year 2010, the Director of the Missile Defense Agency (MDA) is directed to provide a report on how MDA will utilize the funds in the Ground-based Midcourse Defense (GMD) program in fiscal year 2010 to maintain the Ground-Based Interceptor (GBI) production line. The report shall identify the number of GBIs that are being produced in fiscal year 2010. Furthermore, the report shall include a discussion of MDA's GMD Analysis of Alternatives that was conducted as a result of U.S. Northern Command's Ballistic Missile Defense study that was provided to MDA in October 2008. These reports shall be submitted to the congressional defense committees at the same time the President submits the fiscal year 2011 budget request to Congress.

BALLISTIC MISSILE DEFENSE TEST AND TARGETS

There is strong support for a robust testing program for the Missile Defense Agency (MDA). In December of 2008, the Director of MDA initiated a review of the entire Ballistic Missile Defense test program and developed the Integrated Master Test Plan (IMTP) that was signed in late July 2009, well after the submission of the fiscal year 2010 budget request. The IMTP's primary purpose is to establish and document the executable test baseline program from fiscal year 2010 and out to satisfy critical engagement conditions and empirical measurement events data collection requirements.

Since the plan was submitted, it has become known that some tests scheduled for fiscal year 2010 have slipped to fiscal year 2011 and that target synchronization with the new test plan still needs clarification. Furthermore, the fiscal year 2010 budget requests an increase of $50,000,000 over last year's funding level. However, MDA has not expended over $500,000,000 of fiscal year 2009 funds and those funds will be carried over into fiscal year 2010 in the test and target program. Therefore, the recommendation reduces the budget request by $135,800,000 due to a premature request of funding.

EARLY INTERCEPTOR

The Director of the Missile Defense Agency (MDA) is conducting a 90-day study on the different components of the early interceptor to evaluate how best to incorporate them into the Integrated Master Test Plan and MDA's new focus on early/ascent-phase intercept. The recommendation includes $80,000,000 in Line 27, Ballistic Missile Defense Technology, only for the development of the relevant technologies and incorporation of existing technologies to support the early intercept program. Additionally, MDA is urged to use previously appropriated funds in other program elements that would be complimentary or enhance the relevant technologies for early/ascent-phase intercept.

TWO-STAGE GROUND-BASED INTERCEPTOR

The Missile Defense Agency (MDA) is encouraged to continue developing and testing the two-stage ground-based interceptor. It is understood that over $173,000,000 has already been obligated in prior year funding to support development and testing. MDA is encouraged to provide at least $50,000,000 in fiscal year 2010 funds to continue thelwo-stage interceptor program.

Furthermore, the Under Secretary of Defense for Policy is directed to submit a report to the congressional defense committees by June 1, 2010. The report shall include a plan for the continuation of the two-stage ground-based interceptor program as well as how MDA plans to leverage the development and testing of the interceptor to modernize the Ground-based Midcourse Defense system. If the report recommends continuation of the two-stage interceptor program, it shall address any options for basing two-stage interceptors in Europe or the United States to provide enhanced defense in response to future long-range missile threats from Iran. The report shall also include a description of how such a site may be made interoperable with the planned missile defense architecture for Europe and the United States. Finally, the report shall include an independent cost estimate for the two-stage ground-based interceptor plan that is recommended.

GLOBAL SUPPLY CHAIN SECURITY

The national security establishment currently relies on electronic and computer components manufactured predominately overseas. The Department of Defense requires a trusted procurement process to provide classified handling, chain of custody, tracking and vital control of mission critical information technology system components. Accordingly, the Department is urged to provide the necessary resources to establish a Secure Procurement Logistics pilot project within the Cyber Security Initiative to perform secure procurement and logistics support for mission critical information technology.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For Operational Test and Evaluation, Defense, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

		Budget	House	Senate	Recommendation
	OPERATIONAL TEST & EVAL, DEFENSE				
	RDT&E MANAGEMENT SUPPORT				
1	OPERATIONAL TEST AND EVALUATION	58,647	58,647	58,647	58,647
2	LIVE FIRE TESTING	12,285	12,285	12,285	12,285
3	OPERATIONAL TEST ACTIVITIES AND ANALYSES	119,838	119,838	119,838	119,838
	TOTAL, RDT&E MANAGEMENT SUPPORT	190,770	190,770	190,770	190,770
	TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	190,770	190,770	190,770	190,770

TITLE V - REVOLVING AND MANAGEMENT FUNDS

For Revolving and Management Funds, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
TITLE V				
REVOLVING AND MANAGEMENT FUNDS				
Defense Working Capital Funds	1,455,004	1,455,004	1,455,004	1,455,004
National Defense Sealift Fund	1,642,758	1,692,758	1,242,758	1,672,758
Defense Coalition Support Fund	22,000	---	---	---
Total, title V, Revolving and Management Funds	3,119,762	3,147,762	2,697,762	3,127,762

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,455,004,000 is provided for fiscal year 2010.

NATIONAL DEFENSE SEALIFT FUND

For the National Defense Sealift Fund, $1,672,758,000 is provided for fiscal year 2010.

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
STRATEGIC SHIP ACQUISITION	1,089,902	1,089,902	689,902	1,089,902
Reduce one ship			-400,000	
DoD MOBILIZATION ASSETS	199,595	199,595	199,595	199,595
STRATEGIC SEALIFT SUPPORT	4,794	4,794	4,794	4,794
SEALIFT RESEARCH AND DEVELOPMENT	72,983	72,983	72,983	72,983
READY RESERVE FORCE OPERATIONS AND MAINTENANCE	275,484	275,484	275,484	275,484
MARITIME ADMINISTRATION SHIP FINANCING GUARANTEE PROGRAM	0	50,000	0	30,000
Total NDSF	1,637,964	1,692,758	1,242,758	1,672,758

TITLE VI - OTHER DEPARTMENT OF DEFENSE PROGRAMS

For Other Department of Defense Programs, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
TITLE VI				
OTHER DEPARTMENT OF DEFENSE PROGRAMS				
Defense Health Program:				
Operation and maintenance	26,967,919	28,257,565	26,990,219	27,596,689
Procurement	322,142	384,142	322,142	366,692
Research, development, test and evaluation	613,102	1,249,402	998,752	1,280,047
Total, Defense Health Program	27,903,163	29,891,109	28,311,113	29,243,428
Chemical Agents and Munitions Destruction, Defense:				
Operation and maintenance	1,146,802	1,146,802	1,125,911	1,146,802
Procurement	12,689	12,689	12,689	12,689
Research, development, test and evaluation	401,269	351,269	401,269	401,269
Total, Chemical Agents 1/	1,560,760	1,510,760	1,539,869	1,560,760
Drug Interdiction and Counter-Drug Activities, Defense	1,058,984	1,237,684	1,103,086	1,158,226
Joint Improvised Explosive Device Defeat Fund 1/	564,850	364,550	---	121,550
Rapid Acquisition Fund 1/	79,300	---	---	---
Office of the Inspector General 1/	272,444	288,100	288,100	288,100
Total, title VI, Other Department of Defense Programs	31,439,501	33,292,203	31,242,168	32,372,064

DEFENSE HEALTH PROGRAM

For the Defense Health Program, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
Defense Health Program:				
Operation and maintenance	26,967,919	28,257,565	26,990,219	27,596,689
Procurement	322,142	384,142	322,142	366,692
Research, development, test and evaluation	613,102	1,249,402	998,752	1,280,047
Total, Defense Health Program	27,903,163	29,891,109	28,311,113	29,243,428

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
OPERATION AND MAINTENANCE	26,967,919	28,257,565	26,990,219	27,596,689
IN-HOUSE CARE	6,914,373	6,918,303	6,917,373	6,917,303
Fort Drum Regional Health Planning Organization		430		430
Madigan Army Medical Center Trauma Assistance		2,500	3,000	2,500
Military Physician Combat Medical Training (Transferred to Education and Training)		1,000		
PRIVATE SECTOR CARE	14,255,972	15,537,688	14,562,972	14,562,972
Federal Pricing Rebates		760,716		0
TRICARE Shortfall		521,000	307,000	307,000
CONSOLIDATED HEALTH CARE	1,938,305	1,938,305	1,647,205	1,951,025
TBI/PH and WII requirements (Transferred to OCO)			-307,000	0
AFIP/Joint Pathology Center Records Digitization and Repository Modernization			15,000	12,000
Epidemiologic Health Survey			900	720
INFORMATION MANAGEMENT/IT	1,315,645	1,315,645	1,318,045	1,317,565
Enhanced Medical Situational Awareness			2,400	1,920
MANAGEMENT HEADQUARTERS	277,810	277,810	277,810	277,810
EDUCATION AND TRAINING	625,802	629,802	626,802	630,002
Web-Based Teaching Programs for Military Social Work		4,000		3,200
Military Physician Combat Medical Training			1,000	1,000
BASE OPERATIONS AND COMMUNICATIONS	1,640,012	1,640,012	1,640,012	1,940,012
Medical Transportation Infrastructure				300,000
PROCUREMENT	322,142	384,142	322,142	366,692
Composite Operational Health and Occupational Risk Tracking System (Transferred to R&D)		3,000		0
Initial Outfitting and Equipping Items		53,000		39,750
Shock Trauma Center Operating Suites		3,000		2,400
Wide Area Virtual Environment Simulation for Medical Readiness Training		3,000		2,400
RESEARCH AND DEVELOPMENT	613,102	1,249,402	998,752	1,280,047
ALS		10,000		7,500
Program Increase - Army Reserve Component Personal Empowerment Package (ARCPEP)		4,500		3,375
Autism Research		8,000		8,000
Bone Marrow Failure Disease Research Program		5,000		3,750
Breast Cancer Center (WRAMC/WRNMMC)	5,310	15,000		15,000
Composite Operational Health and Occupational Risk Tracking System (Transferred from Procurement)				2,400
Duchenne Muscular Dystrophy		5,000		3,750
Genetics Studies of Food Allergies		2,500		1,875

	Budget Request	House	Senate	Recommendation
Global HIV/AIDS Prevention		10,000		10,000
Gynecological Cancer Center (WRAMC/WRNMMC)	4,820	6,000		6,000
Hand Transplant Research		6,000		4,500
Integrative Cardiac Health Care (WRAMC/WRNMMC)	3,490	7,000		7,000
Military Dental Research (Transferred to RDT&E, Navy line number 124)		8,000		0
Multiple Sclerosis		6,000		4,500
National Diabetes Model Program (Note: of which $4 million is available for Type I)		15,000		15,000
Pain and Neuroscience Center (WRAMC/WRNMMC)	4,000	8,000		8,000
Peer-Reviewed Breast Cancer Research Program		150,000	150,000	150,000
Peer-Reviewed Cancer Research Program		20,000		15,000
Peer Reviewed Lung Cancer Research		15,000		15,000
Peer-Reviewed Orthopedic Research		30,000		22,500
Peer-Reviewed Ovarian Cancer Research Program		25,000	10,000	18,750
Peer-Reviewed Prostate Cancer Research Program		80,000	80,000	80,000
Peer-Reviewed Spinal Cord Research Program		15,000		11,250
Peer-Reviewed Vision Research		5,000		3,750
Prostate Cancer Center (WRAMC/WRNMMC)	3,380	4,000		4,000
Research in Alcohol and Substance Use Disorders		8,500		6,375
Program Increase - Assistive Technology Research		3,000		3,000
Gulf War Illness Peer-Reviewed Research Program		8,000	12,000	8,000
Peer-Reviewed Neurofibromatosis (NF) Research		25,000		13,750
Peer-Reviewed Neurotoxin Exposure Treatment Parkinsons Research Program		25,000		25,000
Traumatic Brain Injury and Psychological Health		127,800	60,500	120,000
Military Medical Research (including the continuation of Traumatic Brain Injury and Psychological Health Research)	372,200			372,200
Tuberous Sclerosis Complex (TSC)		8,000		6,000
US Military Cancer Institute		5,000		5,000
Wound Care Research (Transferred to RDT&E, Navy line number 24)		13,000		0
Hawaii Federal Health Care Network			24,500	23,000
Lung Injury Management			1,450	1,160
Patient Care Improvement Project at Keesler Medical Center			4,100	3,280
Regional Telepathology Initiative at Keesler AFB			2,100	1,680
Security Solutions from Life in Extreme Environments Center			1,000	800
Operating Room of the Future (Transferred to RDT&E, Army line number 28)			2,000	0
Peer-Reviewed Medical Research Program			50,000	50,000

DEFENSE HEALTH PROGRAM REPROGRAMMING PROCEDURES

There is concern regarding the transfer of funds from Direct (or In-house) Care to pay for contractor-provided medical care. To limit such transfers and continue oversight within the Defense Health Program operation and maintenance account, the explanatory statement includes language which limits the funds available for Private Sector Care under the TRICARE program subject to prior approval reprogramming procedures. The bill language and accompanying recommendation should not be interpreted by the Department as limiting the amount of funds that may be transferred to the Direct Care System from other budget activities within the Defense Health Program. In addition, the Services are not properly budgeting for actual execution levels among the budget activity groups and, therefore, the Direct Care System is continued as a special interest item. Any transfer of funds from the Direct (or In-house) Care budget activity into the Private Sector Care budget activity or any other budget activity will require the Department of Defense to follow prior approval reprogramming procedures.

CARRYOVER

For fiscal year 2010, the recommendation includes a one percent carryover authority for the Defense Health Program. The Assistant Secretary of Defense for Health Affairs is directed to submit a detailed spending plan for any fiscal year 2009 designated carryover funds to the congressional defense committees by January 4, 2010. In addition, the Department shall, not fewer than 30 days prior to executing the carryover funds, notify the congressional defense committees in writing of the details of any such obligation. Finally, to address the continuing funding shortfalls in medical information technology, the Department is directed to use available carryover funds to address this deficit.

MEDICAL INFORMATION TECHNOLOGY

Over the past few years, criticism regarding the Department of Defense and the Department of Veterans Affairs medical information technology has grown. Both Departments developed their current systems and infrastructure independent of one another, primarily using proprietary technology and hardware that is costly, not user-friendly and technologically unsustainable. As such, both Departments have now chosen to modernize their systems and infrastructure to address many of those issues, as well as addressing the issues surrounding interoperability between both Departments and the private sector. These systems must also address new requirements made evident by continuing overseas operations, including the ability to expand based on future technology requirements.

Unfortunately, it appears that both Departments are not sufficiently coordinating their efforts, and that lessons learned are not being used to develop an efficient and cost-effective means for data interoperability and information technology modernization. The recommendation recognizes that each Department has unique system requirements; however, both Departments do have common functions that should result in the development of common technology solutions and architecture. Areas that should be joint business practices include lab work, pharmacy orders, digital radiology transmittal, third-party collections and patient appointment scheduling. Both Departments are continuing to work on interoperability between their current systems and improving the transmittal of medical records from one system to another. However, there is significant concern that the necessary efforts being made to jointly develop the required future systems are inadequate. Therefore, the Joint Executive Council (JEC) and the Health Executive Council (HEC) are directed to report to the Committees on Appropriations of the House and the Senate not later than January 11, 2010, on a complete and thorough review of the technology requirements of each Department. The report shall detail each requirement, to include those that are deemed unique to each Department, include a justification of why the requirement can or cannot be developed jointly, and identify the path forward to develop such joint technology. In addition, the JEC and the HEC are directed to coordinate this report with the Department of Health and Human Services as it seeks to modernize electronic health records throughout the private sector. If done correctly and efficiently, the efforts of both Departments can be used as an example of how to modernize medical information technology.

MILITARY MEDICAL RESEARCH

The recommendation provides $120,000,000 for Traumatic Brain Injury (TBI) and Psychological Health research and treatment efforts. The fiscal year 2010 budget submission included $372,000,000 to address numerous unique military medical areas of concern including TBI and Psychological Health. The Department is encouraged to refer to the language in the House and Senate reports regarding gaps in research that need to be addressed within this funding to close those disparities.

It is understood that the Department of Defense is putting pressure on Health Affairs to obligate these funds in an expedited manner during fiscal year 2010 and as a result, Requests for Information (RFI) on grant proposals for this funding have already been published prior to the completion of the Department of Defense Appropriations Act, 2010. These actions are not supported by this recommendation since funding has not been appropriated and the Committees on Appropriations of the House and Senate were never notified of a new start request. Since the submission of the President's budget request, the Department has been repeatedly asked for a distributable list of medical research capability gaps that will be addressed with the additional $372,000,000. Therefore, the Secretary of Defense is directed to provide a distributable list of medical research capability gaps that will be addressed using these funds not later than 15 days after enactment of this Act.

PEER-REVIEWED MEDICAL RESEARCH PROGRAM

The recommendation provides $50,000,000 for a Peer-Reviewed Medical Research Program. The Secretary of Defense, in conjunction with the Service Surgeons General, is directed to select medical research projects of clear scientific merit and direct relevance to military health. Research areas considered under this funding are restricted to: Blood Cancer, Chronic Migraine and Posttraumatic headache, Dystonia, Drug Abuse, Epilepsy, Fragile X Syndrome, Inflammatory Bowel Disease, Interstitial Cystitis, Kidney Cancer, Lupus, Melanoma, Mesothelioma, Neuroblastoma, Osteoporosis and related bone disease, Padget's Disease, Pheochromocytoma, Polycystic Kidney Disease, Post Traumatic Osteoarthritis, Scleroderma, Social Work Research, and Tinnitus. The recommendation emphasizes that the additional funding provided under the Peer-Reviewed Medical Research Program shall be devoted only to the purposes listed above.

HYPERBARIC OXYGEN THERAPY

The Secretary of Defense, not later than 60 days after enactment of this Act, shall submit to the congressional defense committees a report on the use of hyperbaric oxygen therapy (HBOT). The report shall include the number of members of the Armed Forces, veterans and civilians being treated with HBOT; the types of conditions being treated and the respective success rate for each condition; the current inventory, location, and rate of use for hyperbaric oxygen chambers; and any plans for expanding the use of HBOT for treatment.

DIRECT HIRE AUTHORITY

The Secretary of Defense is directed to immediately implement Section 1107 of the National Defense Authorization Act, 2008 (Public Law 110–181) which provides adequate authority for the medical specialty hiring needs of the Department of Defense. The Secretary of Defense is further directed that no later than 30 days after enactment of this Act the Department shall notify the congressional defense committees the action has been taken to implement the direct hire authority across the Department, including the civilian entities.

REDUCING SCAR FORMATION

The United States Army Institute of Surgical Research and the Armed Forces Institute of Regenerative Medicine is currently doing research to reduce scarring following battlefield injuries in conjunction with academia. The Surgeon General of the Army is urged to use funds provided for continuation of studies into new methods for wound healing and scar reduction capabilities including proceeding to a clinical study and for further product development.

MEDICAL TRANSPORTATION INFRASTRUCTURE

After reviewing the Base Realignment and Closure (BRAC) Health Systems Advisory Subcommittee's (the Committee) review of the design plans for medical centers, including the responses from the Department of Defense and the Committee, there remains deep concern about the state of the master plan to complete world class medical facilities. Failures to implement the recommendations of this plan may lead to degraded medical care for military personnel, their dependents and retirees.

The recommendation includes $300,000,000 in the Defense Health Program operation and maintenance account for transportation issues stemming from the realignments associated with the 2005 BRAC. The Secretary of Defense is directed to provide a report to the House and Senate Committees on Appropriations detailing the status of the implementation of the BRAC Health Systems Advisory Subcommittee's plan, and on plans for the recommended funding increase, no later than 90 days after the enactment of this Act.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For Chemical Agents and Munitions Destruction, Defense, funds are to be available for fiscal year 2010, as follows:

(In thousands of dollars)

	Budget	House	Senate	Recommendation
CHEMICAL AGENTS & MUNITIONS DESTRUCTION, DEFENSE				
CHEM DEMILITARIZATION - OPERATION AND MAINTENANCE.....	1,146,802	1,146,802	1,125,911	1,146,802
CHEM DEMILITARIZATION - PROCUREMENT.....	12,689	12,689	12,689	12,689
CHEM DEMILITARIZATION - RESEARCH, DEV, TEST & EVAL....	401,269	351,269	401,269	401,269
TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION, DEFENSE.	1,560,760	1,510,760	1,539,869	1,560,760

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
Chem Demilitarization-O&M	1,146,802	1,146,802	1,125,911	1,146,802
Tooele Chemical Agent Disposal Facility Heel Transfer System - Already Funded in Previous fiscal year			-20,891	
Chem Demilitarization-Procurement	12,689	12,689	12,689	12,689
Chem Demilitarization-RDT&E	401,269	351,269	401,269	401,269
Transferred from Sec. 8123 of HR 3326		50,000		
Total, Chem Agents & Munitions Destruction, Defense	1,560,760	1,510,760	1,539,869	1,560,760

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For Drug Interdiction and Counter-Drug Activities, Defense, $1,158,226,000 is provided for fiscal year 2010.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
COUNTER NARCOTICS	1,058,984	1,238,684	1,103,086	1,158,226
PC8804 Demand Reduction-Civilian Agency Drug Testing - NSA		-1,000		-1,000
PC9205 EUCOM CN Operational Support - excessive growth		-2,000	-5,000	-5,000
PC9206 AFRICOM CN Operational Support - excessive growth		-2,000	-5,000	-5,000
PC9301 CENTCOM Counterthreat Finance Unit		-2,000		0
PC2366 EUCOM Interagency Fusion Centers			-750	-750
Delaware National Guard Counter-Drug Task Force		300	300	300
Western Region Counter-Drug Training Center		2,500	2,500	2,500
Kentucky National Guard Counter-Drug Program		3,500	3,600	3,600
Florida Counter-Drug Program		2,900		2,900
Nevada National Guard Counter-Drug Program		4,000	4,200	4,000
North Carolina Counter-Drug Task Force		1,000		800
Tennessee National Guard Appiachia High Intensity Drug Trafficking Area		4,000	4,000	4,000
Regional Counter-Drug Training Academy - Meridian		1,500	3,000	2,800
Indiana National Guard Counter-Drug Program		3,000		2,400
Young Marines Program		4,000		4,000
Digital Communications		169,000		50,000
Alaska National Guard Counter-Drug Program			3,000	2,400
Hawaii National Guard Counter-Drug Program			3,000	3,000
HERON Maritime UAS for SOUTHCOM			9,800	9,340
Midwest Counter-Drug Training Center			6,000	6,000
Minnesota National Guard Counter-Drug Program			2,000	1,600
Montana National Guard Counter-Drug Task Force			1,000	800
New Mexico National Guard Counter-Drug Program			6,000	4,800
Northeast Counter-Drug Training Center			5,000	4,500
West Virginia Counter-Drug Program			1,000	800
Joint Task Force-North, Drug Interdiction Support (Transferred from Other Procurement, Air Force line 19)			452	452

COUNTER-DRUG BUDGET JUSTIFICATION MATERIALS

There is concern that the budget justification materials submitted do not provide sufficient information for appropriate oversight and understanding of program objectives and metrics. Therefore, the Secretary of Defense is directed that beginning with the fiscal year 2011 budget, the budget justification materials shall ensure that each project code include, at a minimum: a detailed explanation of program increases and decreases including displays and explanations of program and price growth; a display showing the number of full-time equivalent (FTE) employees; average grade for government employees and number of contractor FTEs; justification of planned equipment buys for items costing more than $250,000, including quantities and unit costs; and justification and descriptions of research and development activities, including anticipated program accomplishments, contract awards and a description of government costs.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the Joint Improvised Explosive Device Defeat Fund, funds are to be available for fiscal year 2010, as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
Attack the Network	203,100	183,000		0
Transfer to Title IX				-53,100
Unjustified request				-150,000
Defeat the Device	199,100	25,000		0
Transfer to Title IX				-199,100
Train the Force	41,100	35,000		0
Transfer to Title IX				-41,100
Staff and Infrastructure	121,550	121,550		121,550
Total, Joint Improvised Explosive Device Defeat Fund	564,850	364,550	0	121,550

The recommendation provides funds in the base budget for the Staff and Infrastructure line of operation. These funds are provided with the same time limitation as traditional operation and maintenance funds.

The reporting requirements directed under the Supplemental Appropriations Act, 2009 (Public Law 111–32), were not adhered to, but efforts are underway to improve that status. The Director, Joint Improvised Explosive Device Defeat Organization (JIEDDO) is directed to submit monthly commitment, obligation, and expenditure data by line of operation and by year of appropriation to the congressional defense committees. Further, the Director, JIEDDO is directed to submit monthly reports of obligation data on a project-by-project basis by line of operation to the congressional defense committees. The Director, JIEDDO is also directed to follow standard reprogramming procedures when transferring a cumulative amount of $20,000,000 or more between lines of operation.

OFFICE OF THE INSPECTOR GENERAL

For the Office of the Inspector General, $288,100,000 is provided for fiscal year 2010.

[In thousands of dollars]

	Budget	House	Senate	Recommendation
Office of the Inspector General:				
Operation and Maintenance	271,444	287,100	287,100	287,100
Procurement	1,000	1,000	1,000	1,000
Total, Office of the Inspector General	272,444	288,100	288,100	288,100

TITLE VII—RELATED AGENCIES

For Related Agencies, funds are to be available for fiscal year 2010, as follows:

[In thousands of dollars]

	Budget	House	Senate	Recommendation
TITLE VII—RELATED AGENCIES				
Central Intelligence Agency Retirement and Disability System Fund	290,900	290,900	290,900	290,900
Intelligence Community Management Account (ICMA)	672,812	611,002	750,812	707,912
Transfer to Department of Justice				
Total, title VII, Related agencies	963,712	901,902	1,041,712	998,812

CLASSIFIED ANNEX

Adjustments to the classified programs are addressed in a separate detailed and comprehensive classified annex. The Intelligence Community, Department of Defense and other organizations are expected to fully comply with the recommendations and directions in the classified annex accompanying the Department of Defense Appropriations Act, 2010.

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For the Central Intelligence Agency Retirement and Disability System Fund, $290,900,000 is provided for fiscal year 2010.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For the Intelligence Community Management Account, $707,912,000 is provided for fiscal year 2010, as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
Intelligence Community Management Account	672,812	672,812	672,812	672,812
Classified Adjustment		– 64,810	78,000	34,300
Language Mentorship Program incorporating an electronic portfolio		1,000		800
Counter-Threat Finance-Global (Transferred to O&M, Defense-Wide)		2,000		0
TOTAL, ICMA	672,812	611,002	750,812	707,912

INTELLIGENCE COMMUNITY'S BUSINESS TRANSFORMATION OFFICE

The Director of National Intelligence is directed to submit a report 90 days after the enactment of this Act that: 1) addresses the procurement challenges facing the Business Transformation Office; 2) explains where the most efficient and secure place to store the Community's business data will be for the foreseeable future; and 3) reviews the process for hiring highly qualified experts and provides recommendations that streamline the current bureaucratic process to one that allows the Director of the Business Transformation Office to efficiently build an effective staff. Finally, the report should provide a target date when all National Intelligence Program funds will achieve a sustainable unqualified audit opinion.

INTELLIGENCE COMMUNITY EDUCATION AND TRAINING STRATEGIC DESIGN

The lack of a strategic plan for the Intelligence Community training programs and

professional education curriculum is concerning. The current patchwork of courses, language training efforts and schools is the result of multiple programs and initiatives instead of a coherent strategy. The Director of National Intelligence needs to benchmark successful programs such as the Department of Defense's National Defense University, and develop an appropriate educational and professional development strategy for the Community to create an innovative and competitive 21st century professional intelligence workforce. The Director of National Intelligence is encouraged to take steps to establish the Intelligence Community's capstone school in a manner that takes best advantage of opportunities for learning synergies and a transformative learning environment with other national security students. Further, no later than March 1, 2010, the Director of National Intelligence is directed to submit a report to the intelligence oversight committees on the feasibility of evolving the National Defense Intelligence College to a fee-for-service program.

TITLE VIII—GENERAL PROVISIONS

The recommendation incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed follow:

The recommendation modifies a general provision proposed by the House specifying that adjustments to programs, projects, and activities included in the ''Explanation of Project Level Adjustments'' that are increases above the budget are incorporated into law. Transfers within an appropriation account, among programs, projects and activities do not require general transfer authority as stipulated in Section 8005 of the accompanying Act. However, such transfers are subject to normal prior approval reprogramming procedures if such transfers exceed thresholds described elsewhere in this statement. Transfers between appropriation accounts are subject to the provisions of Section 8005 of the accompanying Act and are also subject to prior congressional approval. The Senate bill contained no similar provision.

The recommendation retains a provision proposed by the Senate that provides for upgrades to military ranges in Alaska. The House bill contained no similar provision,

The recommendation retains a provision proposed by the Senate that provides for limitations on the use and transfer authority of working capital fund cash balances. The House bill contained a similar provision.

The recommendation retains a provision proposed by the House that provides limitations and conditions on the use of funds made available in this Act to initiate multiyear contracts. The Senate bill contained a similar provision.

The recommendation retains a provision proposed by the House that provides for the Department of Defense to purchase anchor and mooring chains manufactured only in the United States. The Senate bill included a similar provision.

The recommendation modifies a provision proposed by both the House and Senate that prohibits funds made available to the Department of Defense from being used to demilitarize or dispose of surplus firearms.

The recommendation modifies a provision proposed by the House and Senate that restricts funds from being used to perform cost studies under OMB Circular A–76.

The recommendation modifies a provision proposed by both the House and Senate which provided funding from various appropriations for the Civil Air Patrol Corporation.

The recommendation modifies a provision proposed by both the House and Senate that provides for the number of staff years of technical effort that may be funded for defense Federally Funded Research and Development Centers (FFRDC).

The recommendation retains a provision proposed by the Senate which provides for the conveyance, without consideration, of relocatable housing units. The House bill contained a similar provision.

The recommendation modifies a provision proposed by the House which provides grant authorities for the Department of Defense acting through the Office of Economic Adjustment. The Senate contained no similar provision.

(RESCISSIONS)

The recommendation modifies a provision proposed by both the House and the Senate recommending rescissions. The rescissions agreed to are:

2008 Appropriations:	
Procurement, Defense-Wide:	
ASDS	$2,000,000
2009 Appropriations:	
Procurement of Weapons and Tracked Combat Vehicles, Army:	
Future Combat Systems Advance Procurement	26,087,000
Joint Assault Bridge	15,000,000
Other Procurement, Army:	
Night Vision Devices	131,900,000
Sequoyah Foreign Language Translation System	6,339,000
Other Procurement, Navy:	
Other Propulsion Equipment	18,844,000
LCS Mission Modules	66,000,000
Aircraft Procurement, Air Force:	
B–52 Modifications	12,800,000
C–130 Modifications	8,000,000
C–130J Advance Procurement	60,000,000
F–22 Advance Procurement	383,000,000
Predator	159,800,000
T–38 Modifications	5,300,000
Missile Procurement, Air Force:	
JASSM	60,000,000
Other Procurement, Air Force:	
Global Combat Support System	8,800,000
Global Command and Control System	2,100,000
Procurement, Defense-Wide:	
ASDS	5,200,000
Research, Development, Test and Evaluation, Navy:	
Surface and Shallow Water MCM	20,000,000
Research, Development, Test and Evaluation, Air Force:	
C–17	22,403,000
Combat Training Ranges	6,000,000
Advanced Medium Range Air-to-Air Missile	5,000,000
Control and Reporting Center	15,000,000
Information Systems Security Program	11,827,000
Aerial Targets	7,000,000
C–130 Airlift Squadron	18,000,000
Logistics Information Technology (LOGIT)	10,000,000
RDT&E for Aging Aircraft	3,200,000
Research, Development, Test and Evaluation, Defense-Wide:	
HBCU	34,457,000
DARPA	100,000,000
Kinetic Energy Interceptor	20,000,000

The recommendation retains a provision proposed by the House that provides for the Department of Defense to dispose of negative unliquidated or unexpended balances for expired or closed accounts. The Senate bill contained no similar provision.

The recommendation retains a provision proposed by the Senate that clarifies the military status of World War II Alaska Territorial Guardsmen. The House bill contained no similar provision.

The recommendation retains a provision proposed by both the House and the Senate that prohibits the use of funds made available in this Act from being used to approve or license the sale of the F–22 fighter aircraft. Additionally, the recommendation retains language proposed by the Senate that permits the Department of Defense to conduct studies and design activities to develop a future export version of the aircraft that protects classified and sensitive information. Assuming that there will be an export version of the F–22A, nothing in this provision shall restrict the Department of Defense from sharing information regarding the future export version of the F–22 pursuant to an inquiry from a foreign government that is intended to inform that government's decision regarding whether to pursue purchase of a future export version of the F–22.

The recommendation modifies a provision proposed by the House which provides $3,750,000 only for the construction and furnishing of additional Fisher Houses. The Senate bill contained no similar provision.

The recommendation modifies a provision proposed by both the House and Senate which provides funding and transfer authority for the Arrow Missile Defense Program.

The recommendation retains a provision proposed by the Senate that provides for the transfer of funds to properly complete prior year shipbuilding programs. The House bill contained a similar provision.

The recommendation retains a provision proposed by the Senate that none of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific Fleet. The House bill contained a similar provision.

The recommendation retains a provision proposed by the Senate that provides for the noncompetitive appointments of certain medical occupational specialties, as prescribed by section 7403(g) of Title 38, United States Code. The House bill contained a similar provision.

The recommendation retains a provision proposed by the Senate which makes available funds for public schools with unusually high concentrations of special needs military dependents enrolled. The House bill contained no similar provision.

The recommendation retains a provision proposed by the House which provides authority for the Secretary of the Army to make a grant only to the Center for Military Recruitment, Assessment and Veterans Employment. The Senate bill contained no similar provision.

The recommendation does not retain a provision proposed by the House that permits Operation and Maintenance, Navy funds to be used to repair, maintain and operate flood control systems adjacent to the Pacific Missile Range Facility. The Senate bill contained no similar provision.

The recommendation modifies a provision proposed by both the House and the Senate providing funds for specific grants.

The recommendation retains a provision proposed by the Senate relating to the prohibition on transfer of program authorities relating to current tactical unmanned aerial vehicles (TUAV) from the Army. The House bill contained a similar provision.

The recommendation retains a provision proposed by the Senate that provides authorities to the Joint Interagency Training and Education Center, for homeland defense/security and traditional warfighting training. The House bill contained no similar provision.

The recommendation retains a provision proposed by the Senate that makes funds available in ''Operation and Maintenance, Navy'' for the Asia Pacific Regional Initiative Program. The House bill contained a similar provision.

The recommendation retains a provision proposed by the Senate that reduces funding by specified amounts due to updated economic assumptions. The House bill contained no similar provision.

The recommendation retains a provision proposed by the House that provides for the creation of a major force program category for space for the Future Year Defense Program of the Department of Defense. The Senate bill contained no similar provision.

The recommendation retains a provision proposed by the House that established requirements for Director National Intelligence budget exhibits. The Senate bill contained a similar provision.

The recommendation does not retain a provision proposed by the Senate that prohibits the use of funds made available in this Act to contravene laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The House contained the same provision in Title IX. The issue is addressed in Title IX.

The recommendation modifies a provision proposed by the House that prohibits award fees to any defense contractor contrary to the provisions of section 814 of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109–364). The Senate bill contained no similar provision.

The recommendation retains a provision proposed by the House which directs the Secretary of Defense to maintain on the Department of Defense website a link to Office of the Inspector General of the Department of Defense. The Senate bill contained no similar provision.

The recommendation modifies a provision proposed by the Senate that provides for a reduction of excess cash balances in the Department of Defense Working Capital Funds. The House bill contained no similar provision.

The recommendation modifies a provision proposed by the House which provides for the continuation of stop loss special pay. The Senate bill contained no similar provision.

The recommendation does not retain a provision proposed by the House which provides for the use of funds for purchase of armored vehicles for force protection purposes. The Senate bill contained no similar provision.

The recommendation modifies a provision proposed by both the House and the Senate which authorizes the transfer of funds made available in title II to the Services' central fund established for Fisher Houses and Suites pursuant to section 2493(d) 10 U.S.C.

The recommendation modifies a provision proposed by the House that authorizes the transfer of funds from the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment to other departments and agencies, for certain purposes. The Senate bill contained a similar provision.

The recommendation modifies a provision proposed by the Senate regarding the availability of operation and maintenance funding to make remittances to the Acquisition Workforce Development Fund. The House bill contained no similar provision.

The recommendation does not retain a provision proposed by the Senate that requires reports on certain elements of the ballistic missile defense system. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation modifies a provision proposed by the Senate that not less than $15,000,000 be made available for high priority National Guard counter-drug programs. The House bill contained no similar provision.

The recommendation retains a provision proposed by the Senate that provides an apology to the Native Peoples of the United States. The House bill contained no similar provision.

The recommendation does not retain a provision proposed by the Senate that requires a report on the use of live primates in training relating to chemical and biological agents. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate that expresses the sense of the Senate on Joint STARS reengining. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation modifies a provision proposed by the Senate that requires public disclosure of certain reports. The House bill contained no similar provision.

The recommendation does not retain a provision proposed by the Senate that requires a report on Federal contracting fraud. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate that makes funds available for Gulf War Illness Research. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation modifies a provision proposed by the Senate that expresses the sense of Congress and requires a report on the Nevada Test Site. The House bill contained no similar provision.

The recommendation does not retain a provision proposed by the Senate that makes funds available from the Office of the Secretary of Defense for declassification of the 2001 nuclear posture review. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate that makes funds available from Operation and Maintenance, Defense-Wide for a Military and Overseas Voter Empowerment Act. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate that restricts funding to dispose of claims filed regarding water contamination. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate that work under Logistics Civil Augmentation Program complies with standards. This issue is addressed in Title II of this statement.

The recommendation modifies a provision proposed by the Senate that prohibits any funds to be used for any Federal contract with specified entities if such entities require their employees to sign mandatory arbitration clauses. The House bill contained no similar provision.

The recommendation does not retain a provision proposed by the Senate that limits the early retirement of tactical aircraft. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate that restores funding for the two-stage ground-based interceptor program. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate that makes funds available for the evaluations and analyses of certain laser systems. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the House that places restrictions on reprogramming funds provided for the National Intelligence Program. The Senate bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation modifies a provision proposed by the House that prohibits the award to a contractor or conversion to performance by a contractor of any functions performed by Federal employees pursuant to a study conducted under OMB circular A–76 as of the date of enactment of this Act. The Senate bill contained no similar provision.

The recommendation does not retain a provision proposed by the House authorizing the Secretary of Defense to transfer to the appropriation ''Foreign Currency Fluctuations, Defense'' unobligated funds appropriated for Operation and Maintenance and Military Personnel. The Senate bill contained no similar provision.

The recommendation does not retain a provision proposed by the House that reduces amounts appropriated in title II of this Act to reflect excess cash balances in Department of Defense Working Capital Funds. The Senate bill contained no similar provision.

The recommendation modifies a provision proposed by the House that prohibits the use of National Intelligence Program funds appropriated in this Act for certain purposes. The Senate bill contained no similar provision.

The recommendation modifies a provision proposed by the House that appropriates funds to the ''Tanker Replacement Transfer Fund'' and authorizes their transfer under certain circumstances for specified purposes.

The recommendation does not retain a provision proposed by the House that provides benefits to any member or former member of the Armed Forces who would have qualified for a day of administrative absence under the Post-Deployment/Mobilization Respite Absence program. The Senate bill contained no similar provision.

The recommendation retains a provision proposed by the House that provides resettlement support for certain refugees. The Senate bill contained no similar provision.

The recommendation modifies a provision proposed by both the House and Senate that requires congressional earmarks, when awarded to a for-profit entity, to be awarded under full and open competition.

The recommendation does not retain a provision proposed by the House that reduces amounts appropriated in title II of this Act. The Senate bill contained no similar provision. The issue is addressed in Title IX.

The recommendation does not retain a provision proposed by the House that sets certain criteria for the appointment of members of integration panels overseeing Congressionally Directed Medical Research programs related to breast cancer. The Senate bill contained no similar provision.

The recommendation does not retain a provision proposed by the House that prohibits the use of funds to eliminate any personnel positions from the 194th Regional Support Wing of the Air National Guard as of the date of enactment of this Act. The Senate bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the House regarding the release and transfer of detainees from Naval Station Guantanamo Bay, Cuba. The Senate bill contained a similar provision in Title IX. The issue is addressed in Title IX.

The recommendation does not retain a provision proposed by the House that prohibits the use of funds for advance procurement of the F–22 and provides that funds made available in title III under the heading ''Aircraft Procurement, Air Force'' may be available for other specified purposes. The Senate bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the House which reduces funds for the Defense Health Program in operation and maintenance and increases funds in research, development, test and evaluation. The Senate bill contained no similar provision.

The recommendation modifies a provision proposed by the House that prohibits the awarding to a contractor, or convert to performance by a contractor, any function at the United States Military Academy at West Point. The Senate bill contained no similar provision.

The recommendation does not retain a provision proposed by the House that reduces funds in Operation and Maintenance, Air Force and increases funds in Chemical Agents and Munitions Destruction, Defense. The Senate bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the House that prohibits the privatization of government-owned ammunition production assets. The Senate bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate that requires the Secretary of the Army to certify any transfers to private ammunition manufacturers. The House bill contained no similar provision. The issue is addressed elsewhere in the statement.

The recommendation retains a provision proposed by the Senate that prohibits funding of the Association of Community Organizations for Reform Now. The House bill contained no similar provision. The Senate bill addressed this issue in Title IX.

TITLE IX—OVERSEAS CONTINGENCY OPERATIONS

REPORTING REQUIREMENTS

The Secretary of Defense is directed to provide a report to the congressional defense committees within 30 days of the enactment of this Act on the allocation of the funds within the accounts listed in this title. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this title are no longer available for obligation. This report shall include: a detailed accounting of obligations and expenditures of appropriations provided in this title by program and sub-activity group for the continuation of military operations in Iraq and Afghanistan; and a listing of equipment procured using funds provided in this title.

Additionally, the Secretary of Defense is directed to continue to report incremental contingency operations costs for Operation Iraqi Freedom and Operation Enduring Freedom on a monthly basis in the Cost of War Execution report as required by Department of Defense Financial Management Regulation, chapter 23, volume 12. Further, the Secretary of Defense is directed to continue to provide the Cost of War reports to the congressional defense committees that include the following information by appropriation: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations and cumulative fiscal year disbursements.

In order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriations accounts for purposes other than those specified in this report. The Secretary of Defense is directed to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this title.

PROGRESS REPORT ON IRAQ

Section 316 of Public Law 111–32, Supplemental Appropriations Act, 2009 directed the Secretary of Defense to submit to Congress on a quarterly basis a report on ''Iraq Troop Drawdown Status, Goals and Timetable.'' Section 316 requires this report to be prepared and submitted every 90 days through September 30, 2010. The recommendation does not repeat section 9010 from the House-passed Department of Defense Appropriations Act, 2010 which repeated this requirement. It is expected that the Department will continue to submit the report as required through September 30, 2010.

BUDGET AMENDMENT

The recommendation fully funds an increase in the Army's end strength, as requested by the Department of Defense in a formal budget amendment submitted on August 13, 2009, after the House had already completed consideration of the Department of Defense Appropriations Act, 2010. The budget amendment, which provides $1,012,600,000 to recruit, retain and support an additional 15,000 soldiers in fiscal year 2010, has been accepted. It is understood that these additional soldiers, and the 7,000 additional soldiers the Department plans to add in fiscal year 2011, are needed temporarily to allow existing Brigade Combat Teams to deploy at full strength. There is a concern about the strain on the Army imposed by the on-going high operations tempo in Iraq and the increased demand in Afghanistan. There is also concern about the Department's decision to fund this temporary growth in end-strength by reducing funding for much-needed trucks and tactical vehicles. While it is believed that combat units in the theater of operations are being provided with the required quantity of high-quality tactical vehicles, concern remains that the Department is not requesting adequate funding to reset and replenish damaged and worn-out vehicles or addressing vehicle shortages in the National Guard and the reserve forces. Accordingly, the recommendation provides funding of $1,063,038,000 for High Mobility Multipurpose Wheeled Vehicles (HMMWV), and $863,357,000 for the Family of Medium Tactical Vehicles. The recommendation provides much needed trucks for the active Army, the Army National Guard and the Army Reserve.

MI–17 HELICOPTERS

There is concern with the Department's growing reliance on the Mi–17 helicopter to meet critical tactical lift requirements for Afghanistan, Iraq and Pakistan security forces. This platform has exceptionally-high maintenance requirements. Parts and service are not readily available in the theater of operations. Furthermore, the Mi–17 is in high demand by U.S. forces operating in and training for Afghanistan, but there are only two foreign-owned plants producing new aircraft at this time. Therefore, the Secretary of Defense is directed to report to the congressional defense committees not later than sixty days after the enactment of this Act on the Department of Defense's current and anticipated demand for Mi–17s for U.S., Afghanistan, Iraq and Pakistan security forces, the anticipated availability or shortage of additional airframes, the sustainability of the airframes currently slated for use by Afghanistan and Iraq security forces, an analysis of alternative airframes, and the future costs and funding sources available for procuring Mi–17s.

MEDICAL TREATMENT FOR CONTRACTORS

There is concern that American workers are not getting reasonable medical treatment for injuries they have suffered while working in a combat zone. Accordingly, the Department is urged to encourage Federal contractors to provide access to the most effective treatment available for injuries suffered while working outside the United States in support of military operations, including Operation Iraqi Freedom and Operation Enduring Freedom; and encourage Federal contractors performing a Federal contract outside the United States to ensure that American workers performing the contract receive the same benefits for injuries suffered outside the United States that they would receive if they were working within the United States.

MILITARY PERSONNEL

For Military Personnel, funds are to be available for fiscal year 2010, as follows:

	Budget request	House	Senate	Recommendation
Military Personnel, Army				
BA-1: PAY AND ALLOWANCES OF OFFICERS				
BASIC PAY	1,092,996	957,492	1,092,996	1,092,996
RETIRED PAY ACCRUAL	278,338	234,598	278,338	278,338
BASIC ALLOWANCE FOR HOUSING	307,496	270,307	307,496	307,496
BASIC ALLOWANCE FOR SUBSISTENCE	39,353	34,932	39,353	39,353
INCENTIVE PAYS	9,733	7,682	9,733	9,733
SPECIAL PAYS	145,278	158,837	145,278	145,278
Hostile Fire Pay-Transferred from Title I		4,790		
Hardship Duty Pay-Transferred from Title I		7,560		
Foreign Language Proficiency Pay-Transferred from Title I		11,422		
ALLOWANCES	71,925	63,526	71,925	71,925
SEPARATION PAY	15,209	14,495	15,209	15,209
SOCIAL SECURITY TAX	83,526	73,253	83,526	83,526
TOTAL BA-1	2,043,854	1,815,122	2,043,854	2,043,854
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
BASIC PAY	2,198,707	2,033,050	2,198,707	2,198,707
RETIRED PAY ACCRUAL	551,605	498,098	551,605	551,605
BASIC ALLOWANCE FOR HOUSING	881,953	851,950	881,953	881,953
INCENTIVE PAYS	18,335	102,619	18,335	18,335
SPECIAL PAYS	730,018	672,799	721,018	675,518
Hostile Fire Pay-Transferred from Title I		16,374		
Hardship Duty Pay-Transferred from Title I		45,000		
Foreign Language Proficiency Pay-Transferred from Title I		25,237		
Stop Loss/Stabilization Pay - Excess to Requirement		-46,000		-46,000
Stop Loss/Stabilization Pay - Transfer to Reserve Personnel, Army		-8,000	-9,000	-8,500
ALLOWANCES	286,973	281,133	286,973	286,973
SEPARATION PAY	23,793	22,937	23,793	23,793
SOCIAL SECURITY TAX	168,228	155,533	168,228	168,228
TOTAL BA-2	4,859,612	4,618,119	4,850,612	4,805,112
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL				
BASIC ALLOWANCE FOR SUBSISTENCE	448,940	427,578	448,940	448,940
SUBSISTENCE-IN-KIND	1,728,276	1,716,246	1,728,276	1,728,276
TOTAL BA-4	2,177,216	2,143,824	2,177,216	2,177,216
BA-5: PERMANENT CHANGE OF STATION TRAVEL				
OPERATIONAL TRAVEL	82,714	82,714	82,714	82,714
ROTATIONAL TRAVEL	68,271	68,271	68,271	68,271
TOTAL BA-5	150,985	150,985	150,985	150,985
BA-6: OTHER MILITARY PERSONNEL COSTS				
INTEREST ON UNIFORMED SERVICE SAVINGS	16,000	16,000	16,000	16,000
DEATH GRATUITIES	96,000	96,000	96,000	96,000
UNEMPLOYMENT BENEFITS	91,134	91,134	91,134	91,134
RESERVE INCOME REPLACEMENT PROGRAM	800	800	800	800
SGLI EXTRA HAZARD PAYMENTS	170,739	170,739	170,739	170,739
TOTAL BA-6	374,673	374,673	374,673	374,673
Undistributed Transfer from Title I		1,390,000		407,000
Total Military Personnel, Army	9,606,340	10,492,723	9,597,340	9,958,840

	Budget request	House	Senate	Recommendation
Military Personnel, Navy				
BA-1: PAY AND ALLOWANCES OF OFFICERS				
BASIC PAY	215,202	215,202	215,202	215,202
RETIRED PAY ACCRUAL	59,329	59,329	59,329	59,329
BASIC ALLOWANCE FOR HOUSING	66,622	66,622	66,622	66,622
BASIC ALLOWANCE FOR SUBSISTENCE	7,559	7,559	7,559	7,559
INCENTIVE PAYS	999	999	999	999
SPECIAL PAYS	17,584	21,471	17,584	17,584
Hardship Duty Pay-Transferred from Title I		899		
Imminent Danger Pay-Transferred from Title I		481		
Foreign Language Proficiency Pay-Transferred from Title I		2,507		
ALLOWANCES	15,301	15,301	15,301	15,301
SEPARATION PAY	7	7	7	7
SOCIAL SECURITY TAX	16,463	16,463	16,463	16,463
TOTAL BA-1	399,066	402,953	399,066	399,066
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
BASIC PAY	248,916	248,916	248,916	248,916
RETIRED PAY ACCRUAL	69,363	69,363	69,363	69,363
BASIC ALLOWANCE FOR HOUSING	118,130	118,130	118,130	118,130
INCENTIVE PAYS	360	360	360	360
SPECIAL PAYS	92,218	116,447	92,218	92,218
Hardship Duty Pay-Transferred from Title I		8,330		
Imminent Danger Pay-Transferred from Title I		899		
Foreign Language Proficiency Pay-Transferred from Title I		15,000		
ALLOWANCES	29,292	29,292	29,292	29,292
SEPARATION PAY	3,690	3,690	3,690	3,690
SOCIAL SECURITY TAX	19,042	19,042	19,042	19,042
TOTAL BA-2	581,011	605,240	581,011	581,011
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL				
BASIC ALLOWANCE FOR SUBSISTENCE	29,573	29,573	29,573	29,573
SUBSISTENCE-IN-KIND	13,021	13,021	13,021	13,021
TOTAL BA-4	42,594	42,594	42,594	42,594
BA-5: PERMANENT CHANGE OF STATION TRAVEL				
ACCESSION TRAVEL	4,951	4,951	4,951	4,951
OPERATIONAL TRAVEL	22,700	22,700	22,700	22,700
ROTATIONAL TRAVEL	28,660	28,660	28,660	28,660
SEPARATION TRAVEL	2,977	2,977	2,977	2,977
TOTAL BA-5	59,288	59,288	59,288	59,288
BA-6: OTHER MILITARY PERSONNEL COSTS				
DEATH GRATUITIES	3,800	3,800	3,800	3,800
UNEMPLOYMENT BENEFITS	36,624	36,624	36,624	36,624
SGLI EXTRA HAZARD PAYMENTS	53,218	53,218	53,218	53,218
TOTAL BA-6	93,642	93,642	93,642	93,642
Undistributed Transfer from Title I		419,000		213,000
Total Military Personnel, Navy	1,175,601	1,622,717	1,175,601	1,388,601

	Budget request	House	Senate	Recommendation
Military Personnel, Marine Corps				
BA-1: PAY AND ALLOWANCES OF OFFICERS				
BASIC PAY	60,845	60,845	60,845	60,845
RETIRED PAY ACCRUAL	14,907	14,907	14,907	14,907
BASIC ALLOWANCE FOR HOUSING	21,186	21,186	21,186	21,186
BASIC ALLOWANCE FOR SUBSISTENCE	2,439	2,439	2,439	2,439
SPECIAL PAYS	11,708	24,559	11,708	11,708
Hardship Duty Pay-Transferred from Title I		265		
Imminent Danger Pay-Transferred from Title I		8,281		
Foreign Language Proficiency Pay-Transferred from Title I		4,305		
ALLOWANCES	4,752	4,752	4,752	4,752
SOCIAL SECURITY TAX	4,655	4,655	4,655	4,655
TOTAL BA-1	120,492	133,343	120,492	120,492
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
BASIC PAY	203,422	203,422	203,422	203,422
RETIRED PAY ACCRUAL	49,838	49,838	49,838	49,838
BASIC ALLOWANCE FOR HOUSING	53,860	53,860	53,860	53,860
SPECIAL PAYS	86,151	108,048	86,151	86,151
Hardship Duty Pay-Transferred from Title I		2,602		
Imminent Danger Pay-Transferred from Title I		7,655		
Foreign Language Proficiency Pay-Transferred from Title I		11,640		
ALLOWANCES	35,331	35,331	35,331	35,331
SEPARATION PAY	3,017	3,017	3,017	3,017
SOCIAL SECURITY TAX	15,562	15,562	15,562	15,562
TOTAL BA-2	447,181	469,078	447,181	447,181
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL				
BASIC ALLOWANCE FOR SUBSISTENCE	24,472	24,472	24,472	24,472
TOTAL BA-4	24,472	24,472	24,472	24,472
BA-5: PERMANENT CHANGE OF STATION TRAVEL				
ACCESSION TRAVEL	3,451	3,451	3,451	3,451
TOTAL BA-5	3,451	3,451	3,451	3,451
BA-6: OTHER MILITARY PERSONNEL COSTS				
DEATH GRATUITIES	18,000	18,000	18,000	18,000
UNEMPLOYMENT BENEFITS	20,500	20,500	20,500	20,500
SGLI EXTRA HAZARD PAYMENTS	36,626	36,626	36,626	36,626
TOTAL BA-6	75,126	75,126	75,126	75,126
Undistributed Transfer from Title I		292,000		108,000
Total Military Personnel, Marine Corps	670,722	997,470	670,722	778,722

	Budget request	House	Senate	Recommendation
Military Personnel, Air Force				
BA-1: PAY AND ALLOWANCES OF OFFICERS				
BASIC PAY	190,761	190,761	190,761	190,761
RETIRED PAY ACCRUAL	46,736	46,736	46,736	46,736
BASIC ALLOWANCE FOR HOUSING	61,363	61,363	61,363	61,363
BASIC ALLOWANCE FOR SUBSISTENCE	7,819	7,819	7,819	7,819
SPECIAL PAYS	15,428	28,043	15,428	15,428
Hostile Fire Pay-Transferred from Title I		5,501		
Hardship Duty Pay-Transferred from Title I		1,808		
Foreign Language Proficiency Pay-Transferred from Title I		5,306		
ALLOWANCES	6,831	6,831	6,831	6,831
SOCIAL SECURITY TAX	14,593	14,593	14,593	14,593
TOTAL BA-1	343,531	356,146	343,531	343,531
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL				
BASIC PAY	481,323	481,323	481,323	481,323
RETIRED PAY ACCRUAL	117,924	117,924	117,924	117,924
BASIC ALLOWANCE FOR HOUSING	179,800	179,800	179,800	179,800
SPECIAL PAYS	61,617	127,963	61,617	61,617
Hostile Fire Pay-Transferred from Title I		37,935		
Hardship Duty Pay-Transferred from Title I		10,848		
Foreign Language Proficiency Pay-Transferred from Title I		17,563		
ALLOWANCES	22,458	22,458	22,458	22,458
SOCIAL SECURITY TAX	36,821	36,821	36,821	36,821
TOTAL BA-2	899,943	966,289	899,943	899,943
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL				
BASIC ALLOWANCE FOR SUBSISTENCE	41,213	41,213	41,213	41,213
SUBSISTENCE-IN-KIND	70,563	70,563	70,563	70,563
TOTAL BA-4	111,776	111,776	111,776	111,776
BA-5: PERMANENT CHANGE OF STATION TRAVEL				
OPERATIONAL TRAVEL	5,848	5,848	5,848	5,848
TOTAL BA-5	5,848	5,848	5,848	5,848
BA-6: OTHER MILITARY PERSONNEL COSTS				
DEATH GRATUITIES	2,000	2,000	2,000	2,000
UNEMPLOYMENT BENEFITS	16,244	16,244	16,244	16,244
SGLI EXTRA HAZARD PAYMENTS	66,034	66,034	66,034	66,034
TOTAL BA-6	84,278	84,278	84,278	84,278
Undistributed Transfer from Title I		331,000		222,000
Total Military Personnel, Air Force	1,445,376	1,855,337	1,445,376	1,667,376
Reserve Personnel, Army				
BA-1: UNIT AND INDIVIDUAL TRAINING				
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	128,666	128,666	118,666	118,666
Excess to Requirement			-10,000	-10,000
SCHOOL TRAINING	11,200	11,200	11,200	11,200
SPECIAL TRAINING	154,771	154,771	154,771	154,771
UNDISTRIBUTED ADJUSTMENT		8,000	9,000	8,500
Stop Loss/Stabilization Pay Program		8,000	9,000	8,500
Total Reserve Personnel, Army	294,637	302,637	293,637	293,137

	Budget request	House	Senate	Recommendation
Reserve Personnel, Navy				
BA-1: UNIT AND INDIVIDUAL TRAINING				
SCHOOL TRAINING	5,000	5,000	5,000	5,000
SPECIAL TRAINING	33,400	33,400	31,400	31,400
Excess to Requirement			-2,000	-2,000
ADMINISTRATION AND SUPPORT	640	640	640	640
Total Reserve Personnel, Navy	39,040	39,040	37,040	37,040
Reserve Personnel, Marine Corps				
BA-1: UNIT AND INDIVIDUAL TRAINING				
SCHOOL TRAINING	5,887	5,887	5,887	5,887
SPECIAL TRAINING	25,450	25,450	25,450	25,450
Total Reserve Personnel, Marine Corps	31,337	31,337	31,337	31,337
Reserve Personnel, Air Force				
BA-1: UNIT AND INDIVIDUAL TRAINING				
SPECIAL TRAINING	24,822	24,822	19,822	19,822
Excess to Requirement			-5,000	-5,000
Total Reserve Personnel, Air Force	24,822	24,822	19,822	19,822
National Guard Personnel, Army				
BA-1: UNIT AND INDIVIDUAL TRAINING				
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	478,203	478,203	463,203	463,203
Excess to Requirement			-15,000	-15,000
SPECIAL TRAINING	361,763	361,763	361,763	361,763
Total National Guard Personnel, Army	839,966	839,966	824,966	824,966
National Guard Personnel, Air Force				
BA-1: UNIT AND INDIVIDUAL TRAINING				
SPECIAL TRAINING	18,500	18,500	9,500	9,500
Excess to Requirement			-9,000	-9,000
Total National Guard Personnel, Air Force	18,500	18,500	9,500	9,500

OPERATION AND MAINTENANCE

For Operation and Maintenance, funds are to be available for fiscal year 2010, as follows:

O-1		Budget Request	House	Senate	Recommendation
	OPERATION & MAINTENANCE, ARMY				
135	**ADDITIONAL ACTIVITIES**	36,526,999	29,064,719	36,388,405	36,139,639
	Transfer to OCOTF		-7,266,180		
	Reduce LOGCAP Growth			-400,000	-400,000
	Army Asymmetric Warfare Office			-17,000	-17,000
	Transfer from Base: CASEVAC/Logistics Rotary Wing Contract for OEF-Philippines			18,500	
	Transfer from Base: Family Readiness Support Assistants			59,891	
	Transfer from Base: Child Care/Youth Development Programs			69,320	
	Transfer from Base: Installation Support			10,088	
	Transfer from Base: Warfighter and Family Services			78,514	
	Transfer from Base: Reception Stations			2,076	
	Transfer from Base: Wounded Warrior Program			10,377	
	Transfer from JIEDDO: OPS - US Army Home Station C-IED Lanes II			8,100	8,100
	Transfer from JIEDDO: JCOE - C-IED Live-Fire Environment			500	500
	Transfer from JIEDDO: JCOE - Biometrics Training Integration			1,000	1,000
	Transfer from JIEDDO: JCOE - First Army CTC Leveling			3,100	3,100
	Transfer from JIEDDO: JCOE - JRTC Simulated Radio Infrastructure Expansion			260	260
	Transfer from JIEDDO: OPS - Joint Total Entity Tracking for Instrumented Battlefield			770	770
	Transfer from JIEDDO: JCOE - USA Company Intel Support Teams (CoIST)			2,250	2,250
	Transfer from JIEDDO: OPS - Biometrics MTT			1,870	1,870
	Transfer from JIEDDO: OPS - Battlefield Forensics MTT Course			6,790	6,790
	Transfer from JIEDDO: OPS - JTTP Modeling and Simulation			5,000	5,000
136	**COMMANDERS EMERGENCY RESPONSE PROGRAM**	1,500,000	1,300,000	1,200,000	1,200,000
	Unjustified request		-200,000		-300,000
	Transfer to MRAP Fund for Urgent Unfunded Requirement			-300,000	
137	**RESET**	7,867,551	6,294,041	7,867,551	7,867,551
	Transfer to OCOTF		-1,573,510		
411	**SECURITY PROGRAMS**	1,426,309	1,140,547	1,426,309	1,426,309
	Transfer to OCOTF		-285,262		
	Classified Adjustments		-500		
421	**SERVICEWIDE TRANSPORTATION**	5,045,902	4,036,722	5,045,902	5,045,902
	Transfer to OCOTF		-1,009,180		
	TRANSFER TO OCOTF				-3,628,247
	UNJUSTIFIED REQUEST FOR CONTRACTED SUPPORT IN THEATER				-230,000
	TOTAL, OPERATION & MAINTENANCE, ARMY	52,366,761	41,836,029	51,928,167	47,821,154

O-1		Budget Request	House	Senate	Recommendation
	OPERATION & MAINTENANCE, NAVY				
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	1,138,398	910,718	1,138,398	1,138,398
	Transfer to OCOTF		-227,680		
1A2A	FLEET AIR TRAINING	2,640	2,112	2,640	2,640
	Transfer to OCOTF		-528		
1A3A	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,212	970	1,212	1,212
	Transfer to OCOTF		-242		
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	26,815	21,452	26,815	26,815
	Transfer to OCOTF		-5,363		
1A4N	AIR SYSTEMS SUPPORT	44,532	35,626	44,532	44,532
	Transfer to OCOTF		-8,906		
1A5A	AIRCRAFT DEPOT MAINTENANCE	158,559	126,847	158,559	158,559
	Transfer to OCOTF		-31,712		
1B1B	MISSION AND OTHER SHIP OPERATIONS	651,209	520,967	651,209	651,209
	Transfer to OCOTF		-130,242		
1B2B	SHIP OPERATIONS SUPPORT & TRAINING	22,489	17,991	22,489	22,489
	Transfer to OCOTF		-4,498		
1B4B	SHIP DEPOT MAINTENANCE	1,001,037	800,830	1,001,037	1,001,037
	Transfer to OCOTF		-200,207		
1C1C	COMBAT COMMUNICATIONS	20,704	16,563	20,704	20,704
	Transfer to OCOTF		-4,141		
1C4C	WARFARE TACTICS	15,918	12,734	15,918	15,918
	Transfer to OCOTF		-3,184		
1C5C	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	16,889	13,511	16,889	16,889
	Transfer to OCOTF		-3,378		
1C6C	COMBAT SUPPORT FORCES	1,891,799	1,513,439	1,818,779	1,809,299
	Transfer to OCOTF		-378,360		
	Unjustified Growth Based on Allocation and Execution Data	—		-100,000	-100,000
	Transfer from JIEDDO: OPS - Joint Training COIC (JTCOIC) (Proof of Concept)	—		17,500	17,500
	Transfer from JIEDDO: OPS - Future Immersive Training Environment (FITE) (Tranferred to RDT&E, Navy line number 20)	—		9,480	

O-1		Budget Request	House	Senate	Recommendation
1C7C	EQUIPMENT MAINTENANCE	306	245	306	306
	Transfer to OCOTF		-61		
1CCH	COMBATANT COMMANDERS CORE OPERATIONS	6,929	5,543	6,929	6,929
	Transfer to OCOTF		-1,386		
1CCM	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	7,344	5,875	7,344	7,344
	Transfer to OCOTF		-1,469		
1D3D	IN-SERVICE WEAPONS SYSTEMS SUPPORT	68,759	55,007	68,759	68,759
	Transfer to OCOTF		-13,752		
1D4D	WEAPONS MAINTENANCE	82,496	65,997	82,496	82,496
	Transfer to OCOTF		-16,499		
1D7D	OTHER WEAPON SYSTEMS SUPPORT	16,902	13,522	16,902	16,902
	Transfer to OCOTF		-3,380		
BSM1	FACILITIES, SUSTAINMENT, RESTORATION AND MODERNIZATION	7,629	6,103	7,629	7,629
	Transfer to OCOTF		-1,526		
BSS1	BASE OPERATING SUPPORT	338,604	270,883	338,604	338,604
	Transfer to OCOTF		-67,721		
2A1F	SHIP PREPOSITIONING AND SURGE	27,290	21,832	27,290	27,290
	Transfer to OCOTF		-5,458		
2C1H	FLEET HOSPITAL PROGRAM	4,336	3,469	4,336	4,336
	Transfer to OCOTF		-867		
2C3H	COAST GUARD SUPPORT	245,039	196,031	3,536	3,536
	Transfer to OCOTF		-49,008		
	Transfer to Department of Homeland Security			-241,503	-241,503
3B1K	SPECIALIZED SKILL TRAINING	97,995	78,396	97,995	97,995
	Transfer to OCOTF		-19,599		
3B4K	TRAINING SUPPORT	5,463	4,370	0	0
	Transfer to OCOTF		-1,093		
	Training Support--Baseline Budget Requirement			-5,463	-5,463
4A1M	ADMINISTRATION	3,899	3,119	3,899	3,899
	Transfer to OCOTF		-780		
4A2M	EXTERNAL RELATIONS	463	370	463	463
	Transfer to OCOTF		-93		

O-1		Budget Request	House	Senate	Recommendation
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	563	450	563	563
	Transfer to OCOTF		-113		
4A5M	OTHER PERSONNEL SUPPORT	2,525	2,020	2,525	2,525
	Transfer to OCOTF		-505		
4A6M	SERVICEWIDE COMMUNICATIONS	23,557	18,846	23,557	23,557
	Transfer to OCOTF		-4,711		
4B1N	SERVICEWIDE TRANSPORTATION	223,890	179,112	223,890	223,890
	Transfer to OCOTF		-44,778		
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	642	514	642	642
	Transfer to OCOTF		-128		
4C1P	NAVAL INVESTIGATIVE SERVICE	37,452	29,962	37,452	37,452
	Transfer to OCOTF		-7,490		
999	OTHER PROGRAMS	25,299	20,239	25,299	25,299
	Transfer to OCOTF		-5,060		
	TRANSFER TO OCOTF				-414,192
	TOTAL, OPERATION & MAINTENANCE, NAVY	6,219,583	4,975,666	5,899,597	5,475,925
	OPERATION & MAINTENANCE, MARINE CORPS				
1A1A	OPERATIONAL FORCES	2,048,844	1,639,075	2,048,844	2,048,844
	Transfer to OCOTF		-409,769		
1A2A	FIELD LOGISTICS	486,014	388,811	493,684	493,684
	Transfer to OCOTF		-97,203		
	Transfer from JIEDDO: OPS - Infantry Immersion Trainer			3,900	3,900
	Transfer from JIEDDO: JCOE - C-IED Live-Fire Environment			500	500
	Transfer from JIEDDO: OPS - Joint Total Entity Tracking for Instrumented Battlefield			350	350
	Transfer from JIEDDO: JCOE - USMC-Company Intelligence Support Teams - CLIC			2,920	2,920
1A3A	DEPOT MAINTENANCE	554,000	443,200	554,000	554,000
	Transfer to OCOTF		-110,800		
1B2B	NORWAY PREPOSITIONING	950	760	950	950
	Transfer to OCOTF		-190		

O-1		Budget Request	House	Senate	Recommendation
BSS1	BASE OPERATING SUPPORT	121,700	97,360	187,700	101,700
	Transfer to OCOTF		-24,340		
	Unjustified Growth			-20,000	-20,000
	Transfer from Base: Family Support Programs			86,000	
3B1D	SPECIALIZED SKILL TRAINING	6,303	5,042	6,303	6,303
	Transfer to OCOTF		-1,261		
3B3D	PROFESSIONAL DEVELOPMENT EDUCATION	923	738	923	923
	Transfer to OCOTF		-185		
3B4D	TRAINING SUPPORT	205,625	164,500	205,625	205,625
	Transfer to OCOTF		-41,125		
4A2G	SPECIAL SUPPORT	2,576	2,061	2,576	2,576
	Transfer to OCOTF		-515		
4A3G	SERVICEWIDE TRANSPORTATION	269,415	215,532	269,415	269,415
	Transfer to OCOTF		-53,883		
4A4G	ADMINISTRATION	5,250	4,200	5,250	5,250
	Transfer to OCOTF		-1,050		
	TRANSFER TO OCOTF				-259,012
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	3,701,600	2,961,279	3,775,270	3,430,258
	OPERATION & MAINTENANCE, AIR FORCE				
011A	PRIMARY COMBAT FORCES	1,582,431	1,265,945	1,582,431	1,582,431
	Transfer to OCOTF		-316,486		
011C	COMBAT ENHANCEMENT FORCES	1,460,018	1,168,014	1,460,018	1,460,018
	Transfer to OCOTF		-292,004		
011D	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	109,255	87,404	109,255	109,255
	Transfer to OCOTF		-21,851		
011M	DEPOT MAINTENANCE	304,540	243,632	304,540	304,540
	Transfer to OCOTF		-60,908		
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	121,881	97,505	121,881	121,881
	Transfer to OCOTF		-24,376		
011Z	BASE SUPPORT	1,394,809	1,115,847	1,394,809	1,394,809
	Transfer to OCOTF		-278,962		

O-1		Budget Request	House	Senate	Recommendation
012A	GLOBAL C3I AND EARLY WARNING	130,885	104,708	130,885	130,885
	Transfer to OCOTF		-26,177		
012C	OTHER COMBAT OPS SPT PROGRAMS	407,554	326,043	409,554	409,554
	Transfer to OCOTF		-81,511		
	Transfer from JIEDDO: JCOE - C-IED ISR Integration			2,000	2,000
013C	SPACE CONTROL SYSTEMS	38,677	30,942	38,677	38,677
	Transfer to OCOTF		-7,735		
015A	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	157,000	0	137,000	132,000
	Transfer to OCOTF		-7,000		
	CENTCOM Information Operations		-150,000	-20,000	-25,000
021A	AIRLIFT OPERATIONS	3,171,148	2,536,918	3,171,148	3,171,148
	Transfer to OCOTF		-634,230		
021D	MOBILIZATION PREPAREDNESS	169,659	135,727	169,659	169,659
	Transfer to OCOTF		-33,932		
021M	DEPOT MAINTENANCE	167,070	133,656	167,070	167,070
	Transfer to OCOTF		-33,414		
021R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	942	754	942	942
	Transfer to OCOTF		-188		
021Z	BASE SUPPORT	45,998	36,798	45,998	45,998
	Transfer to OCOTF		-9,200		
031R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,019	815	1,019	1,019
	Transfer to OCOTF		-204		
031Z	BASE SUPPORT	19,361	15,489	19,361	19,361
	Transfer to OCOTF		-3,872		
032A	SPECIALIZED SKILL TRAINING	48,442	38,754	39,442	39,442
	Transfer to OCOTF		-9,688		
	Unjustified Growth in Operating Support Costs			-9,000	-9,000
032B	FLIGHT TRAINING	291	233	291	291
	Transfer to OCOTF		-58		
032C	PROFESSIONAL DEVELOPMENT EDUCATION	1,500	1,200	1,500	1,500
	Transfer to OCOTF		-300		
032D	TRAINING SUPPORT	1,427	1,142	1,427	1,427
	Transfer to OCOTF		-285		

O-1		Budget Request	House	Senate	Recommendation
041A	LOGISTICS OPERATIONS	328,009	262,407	328,009	328,009
	Transfer to OCOTF		-65,602		
041Z	BASE SUPPORT	35,322	28,258	35,322	35,322
	Transfer to OCOTF		-7,064		
042A	ADMINISTRATION	9,000	7,200	9,000	9,000
	Transfer to OCOTF		-1,800		
042B	SERVICEWIDE COMMUNICATIONS	178,470	142,776	108,470	108,470
	Transfer to OCOTF		-35,694		
	Unjustified Growth in Operating Support Costs			-70,000	-70,000
043A	SECURITY PROGRAMS	142,160	103,728	142,160	132,160
	Classified Adjustment		-10,000		-10,000
	Transfer to OCOTF		-28,432		
	CENTCOM Information Operations Media Production		-27,000		0
	TRANSFER TO OCOTF				-698,549
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	10,026,868	7,858,895	9,929,868	9,216,319
	OPERATION & MAINTENANCE, DEFENSE-WIDE				
	JOINT CHIEFS OF STAFF	25,000	12,500	12,500	12,500
	Combatant Commander's Initiative Fund		-12,500	-12,500	-12,500
	SPECIAL OPERATIONS COMMAND	2,519,935	2,461,935	2,499,935	2,469,935
	SOCOM Information Operations		-58,000	-20,000	-50,000
	DEFENSE MEDIA ACTIVITY	13,364	13,364	13,364	13,364
	DEFENSE CONTRACT AUDIT AGENCY	13,908	13,908	13,908	13,908
	DEFENSE CONTRACT MANAGEMENT AGENCY	63,130	63,130	63,130	63,130
	DEFENSE INFORMATION SYSTEMS AGENCY	245,117	245,117	245,117	245,117
	DEFENSE LEGAL SERVICES AGENCY	115,000	115,000	115,000	115,000
	DEFENSE DEPENDENTS EDUCATION	558,700	553,600	558,700	558,700
	DEFENSE SECURITY COOPERATION AGENCY	1,950,000	1,840,000	1,950,000	1,920,000
	Coalition Support Funds	1,600,000	-60,000		-30,000
	Lift and Sustain		-50,000		
	DEFENSE THREAT REDUCTION AGENCY	2,018	2,018	2,018	2,018
	OFFICE OF THE SECRETARY OF DEFENSE	79,047	79,047	79,047	79,047

O-1		Budget Request	House	Senate	Recommendation
	OTHER PROGRAMS	1,998,181	1,998,181	1,998,181	1,998,181
	TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	7,583,400	7,397,800	7,550,900	7,490,900
	OPERATION & MAINTENANCE, ARMY RESERVE				
113	ECHELONS ABOVE BRIGADE	86,881	69,505	86,881	86,881
	Transfer to OCOTF		-17,376		
115	LAND FORCES OPERATIONS SUPPORT	40,675	32,540	40,675	40,675
	Transfer to OCOTF		-8,135		
121	FORCE READINESS OPERATIONS SUPPORT	21,270	17,016	36,571	21,270
	Transfer to OCOTF		-4,254		
	Transfer from Base: Family Readiness Support Assistants			9,829	
	Transfer from Base: Tuition Assistance			5,472	
122	LAND FORCES SYSTEMS READINESS	17,500	14,000	17,500	17,500
	Transfer to OCOTF		-3,500		
131	BASE OPERATIONS SUPPORT	38,000	30,400	38,000	38,000
	Transfer to OCOTF		-7,600		
434	OTHER PERSONNEL SUPPORT			15,271	0
	Transfer from Base: Chaplain Strong Bonds			6,093	
	Transfer from Base: Army Reserve Recruiting Assistance Program			9,178	
	TOTAL, OPERATION & MAINTENANCE, ARMY RESERVE	204,326	163,461	234,898	204,326
	OPERATION & MAINTENANCE, NAVY RESERVE				
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	26,673	21,338	26,673	26,673
	Transfer to OCOTF		-5,335		
1A3A	INTERMEDIATE MAINTENANCE	400	320	400	400
	Transfer to OCOTF		-80		
1A5A	AIRCRAFT DEPOT MAINTENANCE	3,600	2,880	3,600	3,600
	Transfer to OCOTF		-720		
1B1B	MISSION AND OTHER SHIP OPERATIONS	7,416	5,933	7,416	7,416
	Transfer to OCOTF		-1,483		
1B4B	SHIP DEPOT MAINTENANCE	8,917	7,134	8,917	8,917
	Transfer to OCOTF		-1,783		

O-1		Budget Request	House	Senate	Recommendation
1C1C	COMBAT COMMUNICATIONS	3,147	2,518	3,147	3,147
	Transfer to OCOTF		-629		
1C6C	COMBAT SUPPORT FORCES	13,428	10,742	13,428	13,428
	Transfer to OCOTF		-2,686		
BSSR	BASE OPERATING SUPPORT	4,478	3,582	4,478	4,478
	Transfer to OCOTF		-896		
	TOTAL, OPERATION & MAINTENANCE, NAVY RESERVE	68,059	54,447	68,059	68,059
	OPERATION & MAINTENANCE, MARINE CORPS RESERVE				
1A1A	OPERATING FORCES	77,849	62,279	77,849	77,849
	Transfer to OCOTF		-15,570		
BSS1	BASE OPERATING SUPPORT	8,818	7,054	8,818	8,818
	Transfer to OCOTF		-1,764		
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE	86,667	69,333	86,667	86,667
	OPERATION & MAINTENANCE, AIR FORCE RESERVE				
011A	PRIMARY COMBAT FORCES	3,618	2,894	3,618	3,618
	Transfer to OCOTF		-724		
011G	MISSION SUPPORT OPERATIONS	7,276	5,821	7,276	7,276
	Transfer to OCOTF		-1,455		
011M	DEPOT MAINTENANCE	114,531	91,625	114,531	114,531
	Transfer to OCOTF		-22,906		
011Z	BASE SUPPORT	500	400	500	500
	Transfer to OCOTF		-100		
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE RESERVE	125,925	100,740	125,925	125,925
	OPERATION & MAINTENANCE, ARMY NATIONAL GUARD				
111	MANEUVER UNITS	89,666	71,733	89,666	89,666
	Transfer to OCOTF		-17,933		
112	MODULAR SUPPORT BRIGADES	1,196	957	1,196	1,196
	Transfer to OCOTF		-239		
113	ECHELONS ABOVE BRIGADE	18,360	14,688	18,360	18,360
	Transfer to OCOTF		-3,672		

O-1		Budget Request	House	Senate	Recommendation
114	THEATER LEVEL ASSETS	380	304	380	380
	Transfer to OCOTF		-76		
116	AVIATION ASSETS	59,357	47,486	59,357	59,357
	Transfer to OCOTF		-11,871		
121	FORCE READINESS OPERATIONS SUPPORT	94,458	75,566	109,158	94,458
	Transfer to OCOTF		-18,892		
	Transfer from Base: Family Readiness Support Assistance			14,700	
131	BASE OPERATIONS SUPPORT	22,536	18,029	36,436	22,536
	Transfer to OCOTF		-4,507		
	Transfer from Base: Installation Services			13,900	
133	MANAGEMENT AND OPERATIONAL HQ	35,693	28,554	35,693	35,693
	Transfer to OCOTF		-7,139		
434	RECRUITING AND ADVERTISING			100,000	0
	Transfer from Base: Recruiting and Advertising			100,000	
	TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	321,646	257,317	450,246	321,646
	OPERATION & MAINTENANCE, AIR NATIONAL GUARD				
011F	AIRCRAFT OPERATIONS	103,259	82,607	103,259	103,259
	Transfer to OCOTF		-20,652		
011G	MISSION SUPPORT OPERATIONS	51,300	41,040	51,300	51,300
	Transfer to OCOTF		-10,260		
011M	DEPOT MAINTENANCE	135,303	108,242	135,303	135,303
	Transfer to OCOTF		-27,061		
	TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD	289,862	231,889	289,862	289,862
	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND				
	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	0	14,636,901		5,000,000
	Transfer to OCOTF		14,636,901		5,000,000
	TOTAL, OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	0	14,636,901		5,000,000
	OPERATION AND MAINTENANCE, MISCELLANEOUS				

O-1	Budget Request	House	Senate	Recommendation
IRAQ FREEDOM FUND	**115,300**	**0**	**0**	**0**
Transportation of Fallen Heroes -- transfer to Transportation Working Capital Fund	15,300	-15,300	-15,300	-15,300
Disposition of Guantanamo Detainees -- unspecified increase	100,000	-100,000	-100,000	-100,000
AFGHANISTAN SECURITY FORCES FUND	**7,462,769**	**7,462,769**	**6,562,769**	**6,562,769**
Infrastructure	868,320	868,320	868,320	868,320
Equipment and Transportation	1,615,192	1,615,192	1,615,192	1,615,192
Training and Operations	272,998	272,998	272,998	272,998
Sustainment	1,945,887	1,945,887	1,395,887	1,395,887
Transfer to MRAP Fund for Urgent Unfunded Requirement			-550,000	-550,000
Subtotal, Ministry of Defense	**4,702,397**	**4,702,397**	**4,152,397**	**4,152,397**
Infrastructure	605,584	605,584	605,584	605,584
Equipment and Transportation	279,186	279,186	279,186	279,186
Training and Operations	648,217	648,217	648,217	648,217
Sustainment	1,219,966	1,219,966	869,966	869,966
Transfer to MRAP Fund for Urgent Unfunded Requirement			-350,000	-350,000
Subtotal, Ministry of Interior	**2,752,953**	**2,752,953**	**2,402,953**	**2,402,953**
Detainee Operations -- Training and Operations	1,500	1,500	1,500	1,500
Detainee Operations -- Sustainment	5,919	5,919	5,919	5,919
Subtotal, Associated Activities	**7,419**	**7,419**	**7,419**	**7,419**

COMMANDER'S EMERGENCY RESPONSE PROGRAM

The recommendation provides $1,200,000,000 for the Commander'sEmergency Response Program (CERP) in fiscal year 2010, $300,000,000 below the request. Included in this amount is $1,000,000,000 for CERP in Afghanistan and $200,000,000 for CERP in Iraq. The amount provided for CERP in Afghanistan effectively doubles what has been committed in Afghanistan for fiscal year 2009. Additionally, with the redeployment from Iraq and withdrawal from the major cities, CERP requirements in that theater of operations will decrease significantly in fiscal year 2010. Of the funds provided for CERP, $500,000,000 shall be withheld pending completion and submission of the report described below.

The Department of Defense needs to greatly improve its management and oversight of CERP and its justifications of CERP budget requests. Additionally, there is concern that the Department's plan to significantly increase the use of CERP in Afghanistan does not yet include an increase in the number of personnel qualified to conduct proper oversight and management of those funds. Therefore, the Secretary of Defense is directed to conduct a thorough review of CERP and submit a report to the congressional defense committees not later than 180 days after enactment of this Act. This report shall include: the process by which CERP budget requests are generated and justified; existing management and oversight of CERP funds and contracts by the Department of the Army, the Undersecretary of Defense, Comptroller, and U.S. Central Command; the number of personnel required and the number of personnel currently deployed to Afghanistan with Joint Contracting Command and U.S. Forces—Afghanistan specifically in support of CERP; a separate assessment for Iraq and Afghanistan of the goals, purpose and expected requirement for CERP funds in the coming year; the coordination process of projects with other U.S. government agencies and Non-Governmental Organizations carrying out projects in Iraq and Afghanistan; the requirements for the sustainment of projects carried out under CERP; the procedures for ensuring that projects carried out under CERP are coordinated with the host governments and local community leaders; and the process and systems for tracking projects carried out under CERP. Additionally, the Secretary of Defense is directed, as part of the program review, to report on the advisability of establishing a program office for CERP to be responsible for the development of budgets, strategic plans, program controls, requirements for program coordination, and standards for training.

The Secretary of the Army is directed to submit monthly commitment, obligation and expenditure data for CERP in Iraq and Afghanistan to the congressional defense committees not later than 30 days after each month. Finally, the Secretary of Defense is directed to submit the required quarterly report in a searchable database form in addition to the paper report.

CIVILIAN-MILITARY TRAINING

The Secretary of Defense is directed, in conjunction with the Secretary of State and the Administrator of the United States Agency for InternationalDevelopment, to continue to support the requirements for monthly integrated civilian-military training for civilians deploying to Afghanistan at Camp Atterbury, Indiana, including through the allocation of military and civilian personnel, trainers, and other resources for that purpose.

PROCUREMENT 963 408

For Procurement, funds are to be available for fiscal year 2010, as follows:

P-1		Budget Request	House	Senate	Recommendation
	AIRCRAFT PROCUREMENT, ARMY				
3	MQ-1 UAV	250,000	250,000	32,100	250,000
	Exceeds production capacity (Transferred to Aircraft Procurement, Army line number 3 Title III)			-217,900	0
4	RQ-11 (RAVEN)	44,640	44,640	44,640	44,640
5A	C-12A	45,000	45,000	45,000	0
	Reduction due to initiation of Program of Record				-45,000
11	UH-60 BLACKHAWK	74,340	74,340	37,170	37,170
	Reduction to projected battle losses			-37,170	-37,170
13	CH-47 HELICOPTER	141,200	141,200	70,600	70,600
	Reduction to projected battle losses			-70,600	-70,600
18	GUARDRAIL MODS (MIP)	50,210	50,210	50,210	50,210
19	MULTI SENSOR ABN RECON (MIP)	54,000	54,000	54,000	54,000
20	AH-64 MODS	315,300	315,300	161,100	161,100
	Reduction to projected battle losses			-69,200	-69,200
	VUIT-2 procurement ahead of need			-85,000	-85,000
26	UTILITY HELICOPTER MODS	2,500	2,500	2,500	2,500
27	KIOWA WARRIOR	94,335	94,335	94,335	94,335
29	GATM Rollup		326,400	0	0
29A	RQ-7 UAV MODS	326,400		326,400	326,400
29B	C-12A MODS	60,000	60,000	60,000	0
	Reduction due to initiation of Program of Record				-60,000
30	SPARE PARTS (AIR)	18,200	18,200	18,200	18,200
32	AIRCRAFT SURVIVABILITY INFRARED COUNTER MEASURES	111,600	111,600	99,360	99,360
	Unobligated fiscal year 2009 ATIRCM funds			-12,240	-12,240
34	COMMON GROUND EQUIPMENT	23,704	23,704	23,704	23,704
35	AIRCREW INTEGRATED SYSTEMS	24,800	24,800	0	6,000
	Defer non-emergency upgrades			-24,800	-18,800
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	1,636,229	1,636,229	1,119,319	1,238,219
	MISSILE PROCUREMENT, ARMY				
5	HELLFIRE SYSTEM SUMMARY	219,700	207,600	219,700	219,700
	Unjustified cost growth		-12,100		0
6	JAVELIN (AAWS-M) SYSTEM SUMMARY	140,979	115,979	110,363	110,363
	Excess to requirement for CLU			-5,616	-5,616
	Funding ahead of need		-25,000	-25,000	-25,000
7	TOW 2 SYSTEM SUMMARY	59,200	34,200	34,200	34,200
	Funding ahead of need		-25,000	-25,000	-25,000
8	GUIDED MULTIPLE LAUNCH ROCKET	60,600	60,600	60,600	60,600
14	MODIFICATIONS	18,772	18,772	18,772	18,772
15	HIGH MOBILILTY ARTILLERY ROCKET SYSTEM MODIFICATIONS	32,319	32,319	32,319	32,319
	TOTAL, MISSILE PROCUREMENT, ARMY	531,570	469,470	475,954	475,954
	PROCUREMENT OF W&TCV, ARMY				
4	STRYKER VEHICLE	0	0	0	150,000
	Transfer from WTCV, Army line number 4 Title III				150,000
9	FIST VEHICLE	36,000	36,000	36,000	36,000
10	BRADLEY PROGRAM MODS	243,600	243,600	0	243,600
	Funded in the Supplemental Appropriations Act, 2009			-243,600	
11	HOWITZER, MED SP FT 155MM M109A6	37,620	37,620	37,620	37,620

P-1		Budget Request	House	Senate	Recommendation
27	XM320 GRENADE LAUNCHER MODULE	13,900	13,900	13,900	13,900
31	COMMON REMOTELY OPERATED WEAPONS STATION	235,000	695,000	595,000	495,000
	Transfer from Other Procurement, Army line number 187		360,000	360,000	360,000
	Program reduction				-100,000
	Program increase		100,000		0
33	HOWITZER LT WT 155MM (T)	107,996	107,996	107,996	107,996
36	M2 50 CAL MACHINE GUN MODS	27,600	27,600	27,600	27,600
37	M249 SAW MACHINE GUN MODS	20,900	20,900	20,900	20,900
38	M240 MEDIUM MACHINE GUN MODS	4,800	4,800	4,800	4,800
40	M119 MODIFICATIONS	21,250	21,250	21,250	21,250
41	M16 RIFLE MODS	5,800	5,800	5,800	5,800
43	ITEMS LESS THAN $5.0M (WOCV-WTCV)	5,000	5,000	5,000	5,000
	TOTAL, PROCUREMENT OF W&TCV, ARMY	759,466	1,219,466	875,866	1,169,466
	PROCUREMENT OF AMMUNITION, ARMY				
1	CTG, 5.56MM, ALL TYPES	22,000	22,000	22,000	22,000
2	CTG, 7.62MM, ALL TYPES	8,300	8,300	8,300	8,300
3	CTG, HANDGUN, ALL TYPES	500	500	500	500
4	CTG, .50 CAL, ALL TYPES	26,500	26,500	26,500	26,500
6	CTG, 30MM, ALL TYPES	530	530	530	530
8	60MM MORTAR, ALL TYPES	20,000	20,000	20,000	20,000
14	CTG, ARTY, 105MM: ALL TYPES	9,200	9,200	9,200	9,200
16	PROJ 155MM EXTENDED RANGE XM982	52,200	52,200	52,200	52,200
17	MODULAR ARTILLERY CHARGE SYSTEM, ALL TYPES	10,000	10,000	10,000	10,000
18	ARTILLERY FUZES, ALL TYPES	7,800	7,800	7,800	7,800
19	MINES, ALL TYPES	5,000	5,000	5,000	5,000
20	MINE, CLEARING CHARGE, ALL TYPES	7,000	7,000	2,000	2,000
	Funds exceed requirement			-5,000	-5,000
24	ROCKET, HYDRA 70, ALL TYPES	169,505	169,505	169,505	169,505
27	SIGNALS, ALL TYPES	100	100	100	100
30	NON-LETHAL AMMUNITION, ALL TYPES	32,000	32,000	32,000	32,000
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	370,635	370,635	365,635	365,635
	OTHER PROCUREMENT, ARMY				
1	TACTICAL TRAILERS/DOLLY SETS	1,948	1,948	1,948	1,948
2	SEMITRAILERS, FLATBED	40,403	40,403	40,403	40,403
3	SEMITRAILERS, TANKERS	8,651	8,651	8,651	8,651
4	HI MOB MULTI-PURPOSE WHEELED VEHICLE (HMMWV)	875,718	1,251,038	875,718	1,063,038
	Program adjustment				187,320
5	FAMILY OF MEDIUM TACTICAL VEHICLES	286,337	461,657	286,337	863,357
	Program adjustment				90,320
	Transfer from Other Procurement, Army line number 5 Title III				486,700
7	FAMILY OF HEAVY TACTICAL VEHICLES	623,230	520,750	623,230	803,230
	Schedule delay		-102,480		0
	Transfer from Other Procurement, Army line number 7 Title III				180,000
9	ARMORED SECURITY VEHICLES (ASV)	13,206	13,206	13,206	13,206
12	TRUCK, TRACTOR, LINE HAUL, M915/M916	62,654	62,654	62,654	62,654
15	MODIFICATION OF IN SERVICE EQUIPMENT	0	195,950	0	0
	Army requested transfer from Other Procurement, Army line number 187		195,950		0

P-1		Budget Request	House	Senate	Recommendation
23	WIN-T GROUND FORCES TACTICAL NETWORK	13,500	13,500	13,500	13,500
28	NAVSTAR GLOBAL POSITIONING SYSTEM	53,486	53,486	53,486	53,486
29	SMART-T (SPACE)	26,000	26,000	26,000	26,000
32	MOD OF IN-SERVICE EQUIPMENT (TAC SAT)	23,900	23,900	23,900	23,900
	MOD-IN-SERVICE PROFILER	6,070	6,070	6,070	6,070
34	ARMY DATA DISTRIBUTION SYSTEM	239	239	239	239
37	SINCGARS FAMILY	128,180	0	53,180	18,180
	Funding ahead of need		-128,180	-75,000	-110,000
38	AMC CRITICAL ITEMS - OPA2	100,000	100,000	48,000	54,000
	Funding ahead of need			-52,000	-46,000
46	RADIO, IMPROVED HIGH FREQUENCY (COTS) FAMILY	11,286	11,286	11,286	11,286
47	MEDICAL COMMUNICATIONS FOR COMBAT CASUALTY CARE	18	18	18	18
50	INFORMATION SYSTEM SECURITY PROGRAM	32,095	32,095	32,095	32,095
55	INFORMATION SYSTEMS	330,342	330,342	330,342	330,342
57	INSTALLATION INFO INFRASTRUCTURE MOD	227,733	227,733	227,733	227,733
62	JOINT TACTICAL TERMINAL COMMON INTEGRATED BROADCAST SERVICE - MODULES (MIP)	1,660	1,660	1,660	1,660
66	DIGITAL TOPOGRAPHIC SPT SYS (DTSS)	265	265	265	265
69	DISTRIBUTED COMMON GROUND SYSTEM - ARMY (MIP)	167,100	167,100	167,100	167,100
73	CI HUMINT AUTO REPRTING AND COLL	34,208	34,208	34,208	34,208
75	ITEMS LESS THAN $5.0M	5,064	5,064	5,064	5,064
76	LIGHTWEIGHT COUNTER MORTAR RADAR	58,590	58,590	58,590	58,590
77	WARLOCK	164,435	164,435	164,435	164,435
78	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	126,030	126,030	126,030	126,030
82	NIGHT VISION DEVICES	93,183	93,183	93,183	93,183
84	NIGHT VISION, THERMAL WPN SIGHT	25,000	25,000	25,000	25,000
85	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	15,000	15,000	15,000	15,000
87	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	150,400	150,400	144,400	148,400
	Excess program office costs			-6,000	-2,000
91	PORTABLE INDUCTIVE ARTILLERY FUZE	1,900	1,900	1,900	1,900
94	BELOW	242,999	242,999	242,999	242,999
96	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	97,020	97,020	97,020	97,020
97	COMPUTER BALLISTICS: LHMBC XM32	3,780	3,780	3,780	3,780
99	COUNTERFIRE RADARS	26,000	26,000	26,000	26,000
103	FIRE SUPPORT C2 FAMILY	14,840	14,840	14,840	14,840
104	BATTLE COMMAND SUSTAINMENT SUPPORT SYS	16	16	16	16
107	KNIGHT FAMILY	178,500	178,500	127,000	127,000
	Excess to need			-51,500	-51,500
113	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	58,900	58,900	25,200	25,200
	Excess to need			-33,700	-33,700
114	MANEUVER CONTROL SYSTEM	5,000	5,000	5,000	5,000
115	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	1,440	1,440	1,440	1,440
129	PROTECTIVE SYSTEMS	44,460	44,460	44,460	44,460
130	CBRN SOLDIER PROTECTION	38,811	38,811	38,811	38,811
133	TACTICAL BRIDGING	13,525	13,525	13,525	13,525
136	EXPLOSIVE ORDNANCE DISPOSAL EQPMT	10,800	10,800	10,800	10,800
140	LAUNDRIES, SHOWERS AND LATRINES	21,561	21,561	21,561	21,561
142	LIGHTWEIGHT MAINTENANCE ENCLOSURE	1,955	1,955	1,955	1,955
146	FORCE PROVIDER	245,382	245,382	245,382	245,382
147	FIELD FEEDING EQUIPMENT	4,011	4,011	4,011	4,011
150	ITEMS LESS THAN $5M (ENG SPT)	4,987	4,987	4,987	4,987
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	58,554	58,554	58,554	58,554

P-1		Budget Request	House	Senate	Recommendation
153	WATER PURIFICATION SYSTEMS	3,017	3,017	3,017	3,017
154	COMBAT SUPPORT MEDICAL	11,386	11,386	11,386	11,386
155	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	12,365	12,365	12,365	12,365
156	ITEMS LESS THAN $5.0M (MAINTENANCE EQUIPMENT)	546	546	546	546
162	LOADERS	1,100	1,100	1,100	1,100
163	HYDRAULIC EXCAVATOR	290	290	290	290
166	PLANT, ASPHALT MIXING	2,500	2,500	2,500	2,500
167	HIGH MOBILITY ENGINEER EXCAVATOR FAMILY OF SYSTEMS	16,500	16,500	16,500	16,500
169	ITEMS LESS THAN $5.0M (CONSTRUCTION EQUIPMENT)	360	360	360	360
172	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	3,550	3,550	3,550	3,550
173	GENERATORS AND ASSOCIATED EQUIP	62,210	62,210	62,210	62,210
174	ROUGH TERRAIN CONTAINER HANDLER	54,360	54,360	54,360	54,360
175	ALL TERRAIN LIFTING ARMY SYSTEM	49,319	49,319	49,319	49,319
176	COMBAT TRAINING CENTERS SUPPORT	60,200	60,200	60,200	60,200
177	TRAINING DEVICES, NONSYSTEM	28,200	28,200	28,200	28,200
182	INTEGRATED FAMILY OF TEST EQUIPMENT	1,524	1,524	1,524	1,524
183	TEST EQUIPMENT MODERNIZATION	3,817	3,817	3,817	3,817
184	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	27,000	27,000	0	7,000
	Funding available from prior years			-27,000	-20,000
187	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	555,950	0	0	0
	Army requested transfer to Procurement of Weapons and Tracked Combat Vehicles, Army line number 31		-360,000	-360,000	-360,000
	Army requested transfer to Other Procurement, Army line number 15		-195,950		0
	Excess to need			-195,950	-195,950
	CLASSIFIED PROGRAMS	760	760	760	760
	TOTAL, OTHER PROCUREMENT, ARMY	5,675,326	5,635,306	4,874,176	5,800,516

	AIRCRAFT PROCUREMENT, NAVY				
4	F/A-18E/F HORNET	0	0	512,280	0
	Add nine aircraft (Funded in Title III, Aircraft Procurement, Navy)			512,280	0
10	UH-1Y/AH-1Z	55,006	55,006	55,006	55,006
28	EA-6 SERIES	45,000	45,000	45,000	45,000
29	AV-8 SERIES	28,296	19,396	19,396	19,396
	ALE-47 upgrades complete		-8,900	-8,900	-8,900
30	F-18 SERIES	96,000	96,000	96,000	96,000
31	H-46 SERIES	17,485	17,485	17,485	17,485
33	H-53 SERIES	164,730	164,730	164,730	164,730
34	SH-60 SERIES	11,192	11,192	11,192	11,192
35	H-1 SERIES	11,217	11,217	11,217	11,217
37	P-3 SERIES	74,900	74,900	35,300	35,300
	Funding ahead of need			-39,600	-39,600
39	E-2 SERIES	17,200	17,200	17,200	17,200
41	C-2A	14,100	0	14,100	7,100
	Non-emergency upgrades		-14,100		-7,000
42	C-130 SERIES	52,324	52,324	52,324	52,324
49	POWER PLANT CHANGES	4,456	0	0	0
	Non-emergency modifications		-4,456	-4,456	-4,456
52	COMMON ECM EQUIPMENT	263,382	263,382	260,082	260,082
	ALE-47 kits ahead of need			-3,300	-3,300

P-1		Budget Request	House	Senate	Recommendation
54	COMMON DEFENSIVE WEAPON SYSTEM	5,500	5,500	5,500	5,500
56	V-22 (TILT/ROTOR ACFT) OSPREY	53,500	53,500	23,500	53,500
	Interim gun funding ahead of need			-30,000	
57	SPARES AND REPAIR PARTS	2,265	2,265	2,265	2,265
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	916,553	889,097	1,342,577	853,297
	WEAPONS PROCUREMENT, NAVY				
10	HELLFIRE	50,700	73,700	50,700	50,700
	TOTAL, WEAPONS PROCUREMENT, NAVY	50,700	73,700	50,700	50,700
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS				
1	GENERAL PURPOSE BOMBS	40,500	40,500	40,500	40,500
3	AIRBORNE ROCKETS, ALL TYPES	42,510	30,510	42,510	36,510
	2.75" rocket launcher growth		-12,000		-6,000
4	MACHINE GUN AMMUNITION	80,377	109,200	80,377	80,377
7	AIR EXPENDABLE COUNTERMEASURES	5,501	5,501	5,501	5,501
9	5 INCH/54 GUN AMMUNITION	352	352	352	352
11	OTHER SHIP GUN AMMUNITION	2,835	2,835	2,835	2,835
12	SMALL ARMS & LANDING PARTY AMMO	14,229	14,229	14,229	14,229
13	PYROTECHNIC AND DEMOLITION	1,442	1,442	1,442	1,442
15	SMALL ARMS AMMUNITION	16,930	16,930	16,930	16,930
16	LINEAR CHARGES, ALL TYPES	5,881	5,881	5,881	5,881
17	40 MM, ALL TYPES	104,824	104,824	104,824	104,824
18	60MM, ALL TYPES	43,623	43,623	43,623	43,623
19	81MM, ALL TYPES	103,647	103,647	103,647	103,647
20	120MM, ALL TYPES	62,265	62,265	62,265	62,265
21	CTG 25MM, ALL TYPES	563	563	563	563
22	GRENADES, ALL TYPES	6,074	6,074	6,074	6,074
23	ROCKETS, ALL TYPES	8,117	8,117	8,117	8,117
24	ARTILLERY, ALL TYPES	81,975	81,975	81,975	81,975
26	DEMOLITION MUNITIONS, ALL TYPES	9,241	9,241	9,241	9,241
27	FUZE, ALL TYPES	51,071	51,071	51,071	51,071
	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	681,957	698,780	681,957	675,957
	OTHER PROCUREMENT, NAVY				
18	UNDERWATER EOD PROGRAMS	12,040	12,040	12,040	12,040
25	STANDARD BOATS	13,000	13,000	0	0
	Undefined requirement			-13,000	-13,000
56	MATCALS	400	400	400	400
76	SHIP COMMUNICATIONS AUTOMATION	1,500	1,500	1,500	1,500
92	EXPEDITIONARY AIRFIELDS	37,345	37,345	37,345	37,345
97	AVIATION LIFE SUPPORT	17,883	17,883	17,883	17,883
115	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	43,650	43,650	23,750	23,750
	Anechoic Chamber			-1,900	-1,900
	UAS funded to requirement			-18,000	-18,000
120	PASSENGER CARRYING VEHICLES	25	25	25	25
121	GENERAL PURPOSE TRUCKS	93	93	93	93
122	CONSTRUCTION & MAINTENANCE EQUIP	11,167	11,167	11,167	11,167
124	TACTICAL VEHICLES	54,008	54,008	54,008	54,008
127	ITEMS UNDER $5 MILLION	10,842	10,842	10,842	10,842
128	PHYSICAL SECURITY VEHICLES	1,130	1,130	1,130	1,130

P-1		Budget Request	House	Senate	Recommendation
129	MATERIALS HANDLING EQUIPMENT	25	25	25	25
134	COMMAND SUPPORT EQUIPMENT	4,000	0	4,000	0
	Non-emergency upgrades		-4,000		-4,000
139	OPERATING FORCES SUPPORT EQUIPMENT	15,452	15,452	15,452	15,452
140	C4ISR EQUIPMENT	3,100	0	3,100	0
	Non-emergency modifications		-3,100		-3,100
142	PHYSICAL SECURITY EQUIPMENT	89,521	39,400	64,521	52,521
	Unjustified contingency funding		-50,121	-25,000	-37,000
145	SPARES AND REPAIR PARTS	2,837	2,837	2,837	2,837
	TOTAL, OTHER PROCUREMENT, NAVY	318,018	260,797	260,118	241,018
	PROCUREMENT, MARINE CORPS				
2	LAV PIP	58,229	58,229	39,358	39,358
	Previoiusly funded combat loses			-18,871	-18,871
6	155MM LIGHTWEIGHT TOWED HOWITZER	0	0	54,000	54,000
	Advance funded in FY 2009 Supplemental		-54,000	54,000	54,000
8	WEAPONS & COMBAT VEHICLES UNDER $5 M	3,351	3,351	3,351	3,351
10	MODIFICATION KITS	20,183	20,183	20,183	20,183
11	WEAPONS ENHANCEMENT PROGRAM	9,151	9,151	9,151	9,151
16	MODIFICATION KITS	8,506	8,506	8,506	8,506
18	REPAIR AND TEST EQUIPMENT	11,741	11,741	11,741	11,741
19	COMBAT SUPPORT SYSTEM	462	462	462	462
21	ITEMS UNDER $5 MILLION (COMM & ELEC)	4,153	4,153	4,153	4,153
22	AIR OPERATIONS C2 SYSTEMS	3,096	3,096	3,096	3,096
23	RADAR SYSTEMS	3,417	3,417	3,417	3,417
24	FIRE SUPPORT SYSTEM	521	521	521	521
25	INTELLIGENCE SUPPORT EQUIPMENT	37,547	37,547	37,547	37,547
26	RQ-11 UAV	13,000	13,000	13,000	13,000
27	NIGHT VISION EQUIPMENT	0	12,570	0	0
28	COMMON COMPUTER RESOURCES	23,105	23,105	23,105	23,105
29	COMMAND POST SYSTEMS	23,041	23,041	23,041	23,041
30	RADIO SYSTEMS	32,497	32,497	32,497	32,497
31	COMM SWITCHING & CONTROL SYSTEMS	2,044	2,044	2,044	2,044
32	COMM & ELEC INFRASTRUCTURE SUPPORT	64	64	64	64
35	5/4T TRUCK HMMWV (MYP)	205,036	205,036	27,836	27,836
	Applied previously appropriated funding			-177,200	-177,200
36	MOTOR TRANSPORT MODIFICATIONS	0	0	0	0
	Advance funded in FY 2009 Supplemental		-10,177		
37	MEDIUM TACTICAL VEHICLE REPLACEMENT	131,044	131,044	131,044	131,044
38	LOGISTICS VEHICLE SYSTEM REP	59,219	59,219	59,219	59,219
39	FAMILY OF TACTICAL TRAILERS	13,388	13,388	13,388	13,388
42	ENVIRONMENTAL CONTROL EQUIP ASSORT	5,119	5,119	5,119	5,119
43	BULK LIQUID EQUIPMENT	4,549	4,549	4,549	4,549
44	TACTICAL FUEL SYSTEMS	33,421	33,421	33,421	33,421
45	POWER EQUIPMENT ASSORTED	24,860	24,860	24,860	24,860
47	EOD SYSTEMS	47,697	47,697	47,697	47,697
48	PHYSICAL SECURITY EQUIPMENT	2,720	19,720	2,720	2,720
50	MATERIAL HANDLING EQUIP	56,875	56,875	56,875	56,875
53	TRAINING DEVICES	147,304	157,734	147,304	122,304
	Execution Delays			-50,000	-25,000
55	FAMILY OF CONSTRUCTION EQUIPMENT	35,818	35,818	35,818	35,818
58	RAPID DEPLOYABLE KITCHEN	55	55	55	55
59	ITEMS LESS THAN $5 MILLION	39,055	39,055	39,055	39,055
	TOTAL, PROCUREMENT, MARINE CORPS	1,060,268	1,100,268	918,197	893,197

P-1		Budget Request	House	Senate	Recommendation
	AIRCRAFT PROCUREMENT, AIR FORCE				
6	C-130J	72,000	72,000	72,000	72,000
28	B-1B	20,500	20,500	20,500	20,500
30	A-10	10,000	10,000	10,000	10,000
32	F-16		20,025	0	0
34	C-5	57,400	57,400	57,400	57,400
37	C-17A	120,725	132,300	120,725	120,725
48	MC-12W			29,000	29,000
	Retrofit first seven aircraft			29,000	29,000
52	C-130	86,400	187,277	86,400	86,400
	Requests install funding prior to delivery of kits		-23,523		0
54	C-135	16,916	16,916	16,916	16,916
56	DARP	10,300	10,300	10,300	10,300
63	HC/MC-130 MODIFICATIONS	7,000	7,000	5,660	5,660
	Requests install funding prior to delivery of kits			-1,340	-1,340
64	OTHER AIRCRAFT	90,000	90,000	90,000	90,000
65	MQ-1 MODS	65,000	65,000	65,000	65,000
66	MQ-9 MODS	99,200	12,000	27,600	27,600
	Reduction for sensor - Early to need		-87,200		
	Air Force requested transfer to RDTE,AF Line 128			-71,600	-71,600
76	C-17A	11,000	11,000	11,000	11,000
85	OTHER PRODUCTION CHARGES	114,000	114,000	114,000	114,000
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	780,441	825,718	736,501	736,501
	MISSILE PROCUREMENT, AIR FORCE				
5	PREDATOR HELLFIRE MISSILE	29,325	29,325	29,325	29,325
6	SMALL DIAMETER BOMB	7,300	7,300	7,300	7,300
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	36,625	36,625	36,625	36,625
	PROCUREMENT OF AMMUNITION, AIR FORCE				
1	ROCKETS	3,488	3,488	3,488	3,488
2	CARTRIDGES	39,236	39,236	39,236	39,236
4	GENERAL PURPOSE BOMBS	34,085	34,085	34,085	34,085
5	JOINT DIRECT ATTACK MUNITION	97,978	97,978	97,978	97,978
7	EXPLOSIVE ORDINANCE DISPOSAL	4,800	4,800	4,800	4,800
11	FLARES	41,000	41,000	41,000	41,000
12	FUZES	14,595	14,595	14,595	14,595
13	SMALL ARMS	21,637	21,637	21,637	21,637
	TOTAL, PROCUREMENT OF AMMUNITION, AIR	256,819	256,819	256,819	256,819
	OTHER PROCUREMENT, AIR FORCE				
2	MEDIUM TACTICAL VEHICLE	3,364	3,364	3,364	3,364
4	SECURITY AND TACTICAL VEHICLES	11,337	11,337	11,337	11,337
5	FIRE FIGHTING/CRASH RESCUE VEHICLES	8,626	8,626	8,626	8,626
23	AIR FORCE PHYSICAL SECURITY SYSTEM	1,600	1,600	1,600	1,600
37	MILSATCOM SPACE	714	714	714	714
47	NIGHT VISION GOGGLES	14,528	14,528	0	0
	Request ahead of need			-14,528	-14,528

P-1		Budget Request	House	Senate	Recommendation
48	ITEMS LESS THAN $5,000,000 (SAFETY)	4,900	4,900	4,900	4,900
51	CONTINGENCY OPERATIONS	11,300	11,300	11,300	11,300
60	DEFENSE SPACE RECONNAISSANCE PROG	34,400	34,400	34,400	34,400
999	OTHER PROGRAMS	2,230,780	2,184,469	3,061,780	2,507,180
			-46,311		276,400
	TOTAL, OTHER PROCUREMENT, AIR FORCE	2,321,549	2,275,238	3,138,021	2,583,421
	PROCUREMENT, DEFENSE-WIDE				
19	GLOBAL COMMAND AND CONTROL SYS	1,500	1,500	1,500	1,500
21	TELEPORT PROGRAM	7,411	7,411	7,411	7,411
52	MH-47 SERVICE LIFE EXTENSION PROG	5,900	5,900	0	0
	Program shortfall tranferred to Titel III, Procurement, Defense-Wide line number 52			-5,900	-5,900
57	SOF U-28	3,000	3,000	3,000	3,000
60	MQ-1 UAV	1,450	0	0	0
	Funding Early to Need		-1,450	-1,450	-1,450
62	STUASL0	12,000	12,000	12,000	12,000
63	C-130 MODIFICATIONS	19,500	19,500	19,500	19,500
67	SOF ORDNANCE REPLENISHMENT	51,156	51,156	47,856	47,856
	SOPGM funded in reprogramming action			-3,300	-3,300
68	SOF ORDNANCE ACQUISITION	17,560	17,560	17,560	17,560
69	COMMUNICATIONS EQUIPMENT & ELECTRONICS	2,000	2,000	2,000	2,000
70	SOF INTELLIGENCE SYSTEMS	23,260	23,260	23,260	23,260
71	SMALL ARMS & WEAPONS	3,800	3,800	3,800	3,800
76	TACTICAL VEHICLES	6,865	6,865	6,865	6,865
83	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,000	11,000	11,000	11,000
86	SOF TACTICAL RADIO SYSTEMS	5,448	5,448	5,448	5,448
90	SOF OPERATIONAL ENHANCEMENTS	11,900	11,900	11,900	11,900
999	CLASSIFIED PROGRAMS	307,680	307,680	307,680	307,680
	TOTAL, PROCUREMENT, DEFENSE-WIDE	491,430	489,980	480,780	480,780
	MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND				
	MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND	5,456,000	3,606,000	6,656,000	6,281,000
	Advance funded in FY 2009 Supplemental		-1,850,000	1,200,000	825,000
	TOTAL, MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND		3,606,000	6,656,000	6,281,000
	RAPID ACQUISITION FUND				
	RAPID ACQUISITION FUND				
	Rapid Acquisition Fund	0	40,000	0	0
	Transferred from Title III, RDT&E, Defense-Wide		40,000	0	0
	TOTAL, RAPID ACQUISITION FUND		40,000	0	0
	NATIONAL GUARD AND RESERVE EQUIPMENT				
	ARMY NATIONAL GUARD		300,000	0	575,000
	Miscellaneous equipment (Includes transfer from title III)		300,000	0	575,000
	AIR NATIONAL GUARD		50,000	0	135,000
	Miscellaneous equipment (Includes transfer from title III)		50,000	0	135,000

P-1	Budget Request	House	Senate	Recommendation
ARMY RESERVE		**80,000**	**0**	**85,000**
Miscellaneous equipment (Includes transfer from title III)		80,000	0	85,000
NAVY RESERVE		**25,000**	**0**	**55,000**
Miscellaneous equipment (Includes transfer from title III)		25,000	0	55,000
MARINE CORPS RESERVE		**20,000**	**0**	**45,000**
Miscellaneous equipment (Includes transfer from title III)		20,000	0	45,000
AIR FORCE RESERVE		**25,000**	**0**	**55,000**
Miscellaneous equipment (Includes transfer from title III)		25,000	0	55,000
TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT		500,000	0	950,000

UP ARMORED HMMWVS

The fiscal year 2010 budget request for Overseas Contingency Operations includes funding for the procurement of up-armored HMMWVs. At the request of the Marine Corps, Congress appropriated $177,200,000 in fiscal year 2009 supplemental funding for the procurement of Frag Kit 4 underbody armor protection for M1114 vehicles in theater. However, it is understood that the Marine Corps has rescinded that requirement due to technical difficulties and will not procure any Frag Kit 4 kits. Therefore, the Commandant of the Marine Corps is directed to apply the funds previously appropriated for the procurement of Frag Kit 4 kits for the procurement of up-armored HMWWVs for contingency operations instead.

FAMILY OF HEAVY TACTICAL VEHICLES

The recommendation includes $803,230,000 for the Family of Heavy Tactical Vehicles. The funding provides for the purchase of a variety of heavy trucks, tractors and trailers including Heavy Expanded Mobility Tactical Trucks; Heavy Equipment Transporter Tractors; Heavy Equipment Transporter Trailers; and other heavy transport systems to support line haul, local haul, unit resupply and other missions. These trucks and trailers provide critical support to units in the field. The Army is expected to promptly procure these heavy trucks and trailers as described in budget justification materials.

COMMON REMOTELY OPERATED WEAPONS STATION

The recommendation provides $495,000,000 for Common Remotely Operated Weapons Stations (CROWS), which includes the $235,000,000 in the budget request, a transfer of $360,000,000 from Other Procurement, Army, and a program reduction of $100,000,000. Although there is strong support for the CROWS program, this reduction will avoid funding ahead of need. It is understood that funding for CROWS systems is available in the funding lines for other weapons systems and tactical vehicles. Should additional CROWS funding be required in fiscal year 2010, the Army should reprogram internally to meet the demand. The Army is encouraged to make the CROWS System a Program of Record.

MINE RESISTANT AMBUSH PROTECTED (MRAP) AND MINE RESISTANT AMBUSHPROTECTED ALL TERRAIN VEHICLES (M–ATVS)

The recommendation provides $6,281,000,000, an increase of $825,000,000 over the request to address additional M–ATV vehicle requirements, as identified by the Department. The Department shall continue to adhere to the execution and reporting requirements contained in section 8122 of Public Law 110–116.

TRAINING DEVICES FOR MINE RESISTANT AMBUSH PROTECTED (MRAP) AND MINERESISTANT AMBUSH PROTECTED ALL TERRAIN VEHICLES (M–ATVS)

In response to the threat of Improvised Explosive Devices (IEDs) to Forces in theater, the Department of Defense has procured more than 16,000 MRAPs, and recently validated a requirement of more than 6,000 lightweight MRAPs, M–ATVs, for operations in Afghanistan.

Due to the weight of the heavy armor and high center of gravity, the driving characteristics of both the MRAP and M-ATV are considerably different from other vehicles that are in use by the military. Aggressive safety training helps avoid casualties due to rollovers and other types of accidents. Emergency egress training, including the emergency operation of the heavy armored doors is essential. It is understood that MRAP vehicles and virtual trainers have been provided to home station training facilities for active component, National Guard and Reserve units to prepare service members to operate and maintain these vehicles, which they will receive upon their arrival in the combat theaters. The military services are encouraged to take maximum advantage of these training devices to prepare servicemembers for operations in and around MRAPs and M–ATVs. The Department is expected to use funds available in this Act to procure additional training devices, including virtual vehicle trainers if required.

NATIONAL GUARD AND RESERVE EQUIPMENT

The recommendation provides $950,000,000 for the National Guard and Reserve Equipment Account. Of that amount, $575,000,000 is for the ArmyNational Guard; $135,000,000 for the Air National Guard; $85,000,000 for the U.S. Army Reserve; $55,000,000 for the Navy Reserve; $45,000,000 for the Marine Corps Reserve; and $55,000,000 for the Air Force Reserve to meet urgent equipment needs that may arise this fiscal year.

This funding will allow the Guard and reserve components to procure high priority equipment that will complement the combined State and Federal missions.

MODERNIZATION PRIORITIES

Each National Guard and reserve component Chief shall submit to the congressional defense committees a detailed assessment of that component's modernization priorities not later than 30 days after enactment of this Act. The National Guard and reserve component Chiefs should exercise control of the funds provided in this account, to better ensure that the most urgent National Guard and reserve equipment modernization priorities are addressed with the funding provided in this appropriation.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

For Research, Development, Test and Evaluation, funds are to be available for fiscal year 2010, as follows:

R-1	Budget Request	House	Senate	Recommendation
RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY				
75 ELECTRONIC WARFARE DEVELOPMENT	18,598	18,598	18,598	18,598
161 SECURITY AND INTELLIGENCE ACTIVITIES	7,644	7,644	7,644	7,644
162 INFORMATION SYSTEMS SECURITY PROGRAM	2,220	2,220	2,220	2,220
167 TACTICAL UNMANNED AERIAL VEHICLES	29,500	29,500	29,500	29,500
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	57,962	57,962	57,962	57,962
RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY				
20 USMC Advanced Technology Demonstration				9,480
Future Immersive Training (Transfer from Operation and Maintenance, Navy)				9,480
27 AVIATION SURVIVABILITY	8,000	0	0	0
Non-emergency development funding		-8,000	-8,000	-8,000
41 ADVANCED SUBMARINE SYSTEM DEVELOPMENT	9,000	0	0	0
Non-emergency development funding		-9,000	-9,000	-9,000
203 MANNED RECONNAISSANCE SYSTEMS	51,900	0	0	16,900
Insufficient justification		-51,900	-51,900	-35,000
210 SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	6,000	6,000	0	0
Unjustified request			-6,000	-6,000
999 OTHER PROGRAMS	32,280	32,280	32,280	32,280
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	107,180	38,280	32,280	58,660
RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE				
128 MQ9 UAV	1,400	1,400	1,400	1,400
149 ADVANCED COMMUNICATIONS SYSTEMS	9,375	9,375	9,375	9,375
206 MQ-1 PREDATOR A UAV	1,400	1,400	11,400	11,400
999 OTHER PROGRAMS	17,111	17,111	17,111	17,111
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	29,286	29,286	39,286	39,286
RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE				
139 GLOBAL COMMAND AND CONTROL SYSTEM	2,750	2,750	2,750	2,750
999 OTHER PROGRAMS	113,076	113,076	109,446	109,446
Program adjustment			-3,630	-3,630
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	115,826	115,826	112,196	112,196

SABER FOCUS

The Saber Focus demonstration program is envisioned to provide a much needed capability to the warfighter. The Congress has provided over $200,000,000 for this effort, funded entirely outside the normal budgeting process. The Department has been given numerous opportunities to fund this potentially game- changing program in its base budget but has chosen not to do so, largely due to schedule slips with the actual demonstration. The demonstration is currently scheduled in fiscal year 2010 and will utilize funding carried over from fiscal year 2009. Therefore, the recommendation provides $16,900,000 for the Saber Focus program, a reduction of $35,000,000, which should be sufficient to finally transition the program to a Program of Record.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Fund, $412, 215,000 is provided for fiscal year 2010.

		Budget Request	House	Senate	Recommendation
	AIR FORCE WORKING CAPITAL FUNDS				
TWCF	TRANSPORTATION WORKING CAPITAL FUND	0			15,300
	Transportation of Fallen Heroes (transferred from Iraq Freedom Fund)		15,300	15,300	
	TOTAL, AIR FORCE WORKING CAPITAL FUNDS	0	15,300	15,300	15,300
	DEFENSE-WIDE WORKING CAPITAL FUNDS				
DWCF	DEFENSE-WIDE WORKING CAPITAL FUNDS	396,915	396,915	396,915	396,915
	TOTAL, DEFENSE-WIDE WORKING CAPITAL FUNDS	396,915	396,915	396,915	396,915
	TOTAL, DEFENSE WORKING CAPITAL FUNDS	396,915	412,215	412,215	412,215

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For the Defense Health Program, $1,256,675,000 is provided for fiscal year 2010, as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
OPERATION AND MAINTENANCE	1,155,235	1,155,235	1,563,675	1,256,675
IN-HOUSE CARE	503,500	503,500	569,030	569,030
PRIVATE SECTOR CARE	494,657	494,657	530,567	530,567
CONSOLIDATED HEALTH CARE	134,392	134,392	441,392	134,392
TBI/PH and WII requirements transfer from base			307,000	0
INFORMATION MANAGEMENT/IT	3,032	3,032	3,032	3,032
MANAGEMENT HEADQUARTERS	1,246	1,246	1,246	1,246
EDUCATION AND TRAINING	16,599	16,599	16,599	16,599
BASE OPERATIONS AND COMMUNICATIONS	1,809	1,809	1,809	1,809

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For Drug Interdiction and Counter-Drug Activities, $346,603,000 is provided for fiscal year 2010, as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

		Budget Request	House	Senate	Recommendation
PC9204		324,603	317,603	353,603	346,603
	AFGHANISTAN	270,403	263,403	299,403	292,403
	Afghanistan Border facilities - new construction locations not determined		-5,000		-5,000
	New CNP-A Internal Polygraph Program		-2,000		-2,000
	NIU/CNP-A Air Mobilty (CONUS) Partial Year Savings			-3,000	-3,000
	Replacement Helicopters			32,000	32,000
	KAZAKHSTAN	4,000	4,000	4,000	4,000
	KYRGYZSTAN	3,000	3,000	3,000	3,000
	PAKISTAN	38,400	38,400	38,400	38,400
	TAJIKISTAN	4,000	4,000	4,000	4,000
	TURKMENISTAN	4,800	4,800	4,800	4,800

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the Joint Improvised Explosive Device Defeat Fund, funds are to be available for fiscal year 2010, as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Budget Request	House	Senate	Recommendation
Attack the Network	812,000	730,000	1,015,100	865,100
Transfer from Title VI	.....	.....	203,100	53,100
Defeat the Device	536,000	600,000	735,100	735,100
Transfer from Title VI	.....	.....	199,100	199,100
Train the Force	187,000	160,000	161,810	161,810
Transfer from Title VI	.....	.....	41,100	41,100
Transfer to Service OCO accounts for proper execution	.....	.....	−66,290	−66,290
Staff and Infrastructure	0	0	121,550	0
Transfer from Title VI	.....	.....	121,550	
Total, Joint Improvised Explosive Device. Defeat Fund	1,535,000	1,490,000	2,033,560	1,762,010

The Director, Joint Improvised Explosive Device Defeat Organization (JIEDDO) is directed to continue to submit monthly commitment, obligation, and expenditure data by line of operation and by year of appropriation to the congressional defense committees. Further, the Director, JIEDDO is directed to submit monthly reports of obligation data on a project-by-project basis by line of operation to the congressional defense committees. The Director, JIEDDO is also directed to follow standard reprogramming procedures when transferring a cumulative amount of $20,000,000 or more between lines of operation.

OFFICE OF THE INSPECTOR GENERAL

For the Office of the Inspector General, $8,876,000 is provided for fiscal year 2010.

TITLE IX—GENERAL PROVISIONS

The recommendation incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed follow:

The recommendation retains a provision proposed by the Senate that provides for special transfer authority for this title. The House bill contained a similar provision.

The recommendation retains a provision proposed by the Senate that provides authority for the supervisory and administrative costs associated with construction projects in Afghanistan funded with operation and maintenance funds, that may be obligated when the contract is awarded. The House bill contained a similar provision.

The recommendation retains a provision proposed by the Senate that provides for the procurement of passenger motor vehicles for the physical security of personnel. The House bill contained a similar provision.

The recommendation modifies a provision proposed by the House and the Senate which provides funding under ''Operation and Maintenance, Army'' to fund the Commander's Emergency Response Program (CERP) and requires quarterly reports to the congressional defense committees.

The recommendation does not retain a provision proposed by the House that provides for a transfer from the Defense Cooperation Account. The Senate bill contained no similar provision.

The recommendation retains a provision proposed by the Senate that designates funds in this title for overseas deployments and other activities. The House bill contained a similar provision.

The recommendation retains a provision proposed by the House that prohibits the use of funds made available in this Act to contravene laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Senate bill contained the same provision in Title VIII.

The recommendation does not retain a provision proposed by the House that requires a report on the timetable for Iraq troop draw down. The Senate bill contained no similar provision. The issue is addressed elsewhere in this statement.

The recommendation retains a provision proposed by the Senate that provides reporting requirements and reprogramming thresholds for Iraq and Afghanistan Security Forces Funds and Pakistan Counterinsurgency Fund. The House bill contained no similar provision.

The recommendation includes a provision that restricts the transfer or release into the United States of any individual who was detained at Naval Station, Guantanamo Bay, Cuba.

The recommendation does not retain a provision proposed by the Senate that provides funding for fuel requirements. The House bill contained no similar provision.

The recommendation retains a provision proposed by the Senate that prohibits funding of the Association Community Organizations for Reform Now. The House bill contained no similar provision. The issue is addressed in Title VIII.

The recommendation does not retain a provision proposed by the Senate that provides for the support of certain civilian-military training for citizens deploying to Afghanistan. The House bill contained no similar provision. This issue is addressed elsewhere in the statement.

The recommendation does not retain a provision proposed by the Senate to hold open and closed hearings on strategy and resources of the United States with respect to Afghanistan and Pakistan. The House bill contained no similar provision.

The recommendation modifies a provision proposed by the Senate that makes available funding for outreach and reintegration services under the Yellow Ribbon Reintegration Program. The House bill contained no similar provision.

TITLE X—GENERAL PROVISIONS

The recommendation incorporates general provisions from the House and Senate versions of the bill which were not amended. Those general provisions that were addressed follow:

The recommendation does not retain a provision proposed by the House concerning hyperbaric chambers for treatment of traumatic brain injury. The Senate bill contained no similar provision. The issue is addressed elsewhere in the statement.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2010
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Recommendation	Recommendation vs. Enacted
TITLE I						
MILITARY PERSONNEL						
Military Personnel, Army	36,382,736	41,312,448	39,901,547	41,287,448	41,086,612	+4,622,876
Military Personnel, Navy	24,037,553	25,504,472	25,086,581	25,440,472	25,289,049	+1,251,496
Military Personnel, Marine Corps	11,792,074	12,915,790	12,526,845	12,883,790	12,799,900	+1,007,016
Military Personnel, Air Force	25,103,789	26,430,761	25,938,856	26,378,761	26,174,136	+1,070,347
Reserve Personnel, Army	3,904,296	4,336,656	4,306,513	4,286,656	4,304,713	+400,417
Reserve Personnel, Navy	1,855,066	1,938,166	1,918,111	1,906,166	1,908,381	+53,333
Reserve Personnel, Marine Corps	584,010	617,500	610,580	611,500	613,500	+28,500
Reserve Personnel, Air Force	1,423,076	1,607,712	1,600,482	1,584,712	1,588,412	+165,736
National Guard Personnel, Army	6,616,220	7,621,488	7,526,628	7,536,088	7,546,905	+930,685
National Guard Personnel, Air Force	2,741,768	2,970,049	2,949,888	2,923,588	2,938,229	+196,461
Total, title I, Military Personnel	114,443,890	125,264,042	122,378,016	124,817,192	124,170,847	+9,726,957
TITLE II						
OPERATION AND MAINTENANCE						
Operation and Maintenance, Army	31,207,243	31,274,882	30,454,152	30,667,886	30,934,550	-272,693
Operation and Maintenance, Navy	34,410,773	35,070,346	34,885,932	34,773,487	34,714,396	+303,623
Operation and Maintenance, Marine Corps	5,519,232	5,536,223	5,567,518	5,435,923	5,538,117	+19,885
Operation and Maintenance, Air Force	34,865,964	34,748,159	33,786,348	33,739,447	33,477,116	-1,388,848
Operation and Maintenance, Defense-Wide	25,939,466	28,357,246	27,929,377	28,205,050	28,116,793	+2,176,327
Operation and Maintenance, Army Reserve	2,528,896	2,520,196	2,521,196	2,582,524	2,517,496	-11,400
Operation and Maintenance, Navy Reserve	1,306,141	1,278,501	1,286,601	1,272,501	1,273,701	-34,440
Operation and Maintenance, Marine Corps Reserve	212,487	228,925	228,925	219,425	223,175	+10,688
Operation and Maintenance, Air Force Reserve	3,018,151	3,079,229	3,079,228	3,085,799	3,131,200	+113,049
Operation and Maintenance, Army National Guard	5,658,303	6,257,034	6,363,627	5,989,034	6,189,713	+331,410
Operation and Maintenance, Air National Guard	5,901,044	5,885,761	5,886,741	5,857,011	5,882,251	-18,793
Overseas Contingency Operations Transfer Account	---	5,000	---	---	---	---
United States Court of Appeals for the Armed Forces	13,254	13,032	13,032	13,032	13,032	+678
Environmental Restoration, Army	457,776	415,864	415,864	430,864	423,364	-34,412
Environmental Restoration, Navy	290,819	285,869	285,869	285,869	286,869	-4,950
Environmental Restoration, Air Force	496,277	494,276	494,276	494,276	494,276	-2,001
Environmental Restoration, Defense-Wide	13,175	11,100	11,100	11,100	11,100	-2,075
Environmental Restoration, Formerly Used Defense Sites	291,296	267,700	277,700	307,700	292,700	+1,404
Overseas Humanitarian, Disaster, and Civic Aid	83,273	109,869	109,869	109,869	109,869	+26,596
Cooperative Threat Reduction Account	434,135	404,093	404,093	424,093	424,093	-10,042
Department of Defense Acquisition Workforce Development Fund	---	100,000	100,000	100,000	100,000	+100,000
Total, title II, Operation and maintenance	152,949,705	158,444,204	154,178,741	154,005,801	154,253,711	+1,304,006
TITLE III						
PROCUREMENT						
Aircraft Procurement, Army	4,900,835	5,315,991	5,144,991	5,244,252	5,093,022	+192,187
Missile Procurement, Army	2,185,060	1,370,199	1,358,909	1,257,963	1,251,053	-934,007
Procurement of Weapons and Tracked Combat Vehicles, Army	3,169,128	2,451,952	2,681,952	2,319,007	2,335,807	-833,321
Procurement of Ammunition, Army	2,287,398	2,051,895	2,053,395	2,049,995	2,056,115	-231,283
Other Procurement, Army	10,684,014	9,907,151	9,293,881	9,395,444	8,582,680	-2,101,334
Aircraft Procurement, Navy	14,141,318	18,378,312	18,325,481	18,079,312	18,643,221	+4,501,903
Weapons Procurement, Navy	3,292,972	3,453,455	3,226,403	3,446,419	3,357,872	+64,900
Procurement of Ammunition, Navy and Marine Corps	1,085,158	840,875	794,886	814,015	800,651	-284,507
Shipbuilding and Conversion, Navy	13,054,367	13,776,867	14,721,532	15,384,899	13,881,532	+827,165
Other Procurement, Navy	5,250,827	5,661,176	5,395,061	5,499,413	5,441,234	+190,407
Procurement, Marine Corps	1,376,917	1,800,838	1,563,743	1,550,080	1,521,505	+144,588
Aircraft Procurement, Air Force	13,112,017	11,966,276	11,956,182	13,148,720	13,295,474	+182,857
Missile Procurement, Air Force	5,442,428	6,300,726	6,609,356	6,070,344	5,995,544	+553,116
Procurement of Ammunition, Air Force	859,496	822,482	809,941	815,246	801,580	-57,916
Other Procurement, Air Force	16,052,569	17,293,141	16,883,791	17,283,900	17,138,239	+1,085,670
Procurement, Defense-Wide	3,306,269	3,984,352	4,036,616	4,017,667	4,050,537	+744,268
National Guard and Reserve Equipment	750,000	---	---	1,500,000	---	-750,000
Defense Production Act Purchases	100,565	38,246	82,846	149,746	150,746	+50,181
Total, title III, Procurement	101,051,705	105,213,426	104,937,906	108,016,143	104,387,262	+3,345,554
TITLE IV						
RESEARCH, DEVELOPMENT, TEST AND EVALUATION						
Research, Development, Test and Evaluation, Army	12,060,111	10,438,218	11,151,864	10,653,126	11,474,180	-585,931
Research, Development, Test and Evaluation, Navy	19,764,276	19,270,932	20,197,369	19,148,569	20,003,463	+239,187
Research, Development, Test and Evaluation, Air Force	27,084,340	27,992,827	27,976,278	28,049,015	28,121,985	+1,037,645
Research, Development, Test and Evaluation, Defense-Wide	21,423,336	20,741,542	20,721,723	20,408,968	20,747,081	-676,257
Operational Test and Evaluation, Defense	188,772	190,770	190,770	190,770	190,770	+1,998
Total, title IV, Research, Development, Test and Evaluation	80,520,837	78,634,289	80,237,985	78,450,388	80,537,479	+16,642

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2010
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Recommendation	Recommendation vs. Enacted
TITLE V						
REVOLVING AND MANAGEMENT FUNDS						
Defense Working Capital Funds	1,489,234	1,455,004	1,455,004	1,455,004	1,455,004	-34,230
National Defense Sealift Fund	1,666,572	1,642,758	1,692,758	1,242,758	1,672,758	+6,186
Defense Coalition Support Fund	---	22,000	---	---	---	---
Total, title V, Revolving and Management Funds	3,155,806	3,119,762	3,147,762	2,697,762	3,127,762	-28,044
TITLE VI						
OTHER DEPARTMENT OF DEFENSE PROGRAMS						
Defense Health Program:						
Operation and maintenance	24,611,360	26,967,910	28,257,565	26,990,210	27,596,680	+2,985,320
Procurement	311,905	322,142	384,142	322,142	366,692	+54,787
Research, development, test and evaluation	902,558	613,102	1,249,402	998,762	1,280,047	+377,489
Total, Defense Health Program	25,825,832	27,903,163	29,891,109	28,311,113	29,243,428	+3,417,596
National Defense Stockpile Transaction Fund transfer to Defense Health program	-1,300,000	---	---	---	---	+1,300,000
Chemical Agents and Munitions Destruction, Defense:						
Operation and maintenance	1,152,668	1,146,602	1,146,602	1,125,911	1,146,602	-5,866
Procurement	64,065	12,689	12,689	12,689	12,689	-51,366
Research, development, test and evaluation	288,881	401,269	351,269	401,269	401,269	+112,388
Total, Chemical Agents 1/	1,505,634	1,560,760	1,510,760	1,539,869	1,560,760	+55,126
Drug Interdiction and Counter-Drug Activities, Defense	1,096,743	1,058,984	1,237,684	1,163,086	1,158,226	+61,483
Joint Improvised Explosive Device Defeat Fund 1/	---	564,850	364,550	---	121,550	+121,550
Rapid Acquisition Fund 1/	---	79,300	---	---	---	---
Office of the Inspector General 1/	271,845	272,444	288,100	288,100	288,100	+16,255
Total, title VI, Other Department of Defense Programs	27,400,054	31,439,501	33,292,203	31,242,168	32,372,064	+4,972,010
TITLE VII						
RELATED AGENCIES						
Central Intelligence Agency Retirement and Disability System Fund	279,200	290,900	290,900	290,900	290,900	+11,700
Intelligence Community Management Account (ICMA)	710,042	672,812	611,002	750,812	707,912	-2,130
Transfer to Department of Justice	(44,000)	---	---	---	---	(-44,000)
Total, title VII, Related agencies	989,242	963,712	901,902	1,041,712	998,812	+9,570
TITLE VIII						
GENERAL PROVISIONS						
Additional transfer authority (Sec. 8005)	(4,100,000)	(5,000,000)	(4,000,000)	(4,000,000)	(4,000,000)	(-100,000)
Indian Financing Act incentives (Sec. 8021)	15,000	---	15,000	15,000	15,000	---
FFRDC (Sec. 8028)	-84,000	---	-125,200	-120,200	-125,200	-41,200
Overseas Military Facility Invest Recovery (Sec. 8031)	1,000	1,000	1,000	1,000	1,000	---
Rescissions (Sec. 8042)	-1,320,473	---	-1,391,338	-1,278,001	-1,244,057	+76,416
O&M, Def-wide transfer authority (Sec.8053)	(30,000)	(30,000)	(30,000)	(30,000)	(30,000)	---
Fisher House Foundation (Sec. 8074)	8,000	---	5,000	---	3,750	-4,250
Special needs students (Sec. 8081)	5,500	---	---	5,500	5,500	---
Military Recruitment Assessment & Vet Empl (Sec. 8082)	3,000	---	3,000	---	3,000	---
Various grants (Sec. 8085)	112,490	---	88,700	50,500	110,640	-1,750
Shipbuilding & conversion funds, Navy (Sec. 8098)	10,000	10,000	10,000	10,000	10,000	---
Revised economic assumptions (Sec. 8097)	---	---	---	-861,000	-861,000	-861,000
Working Capital Fund excess cash (Sec. 8107)	-859,000	---	---	-500,000	-400,000	+459,000
Stop Loss transfer fund (Sec. 8108)	72,000	---	8,300	---	---	-72,000
Fisher House transfer authority (Sec. 8109)	---	(10,000)	(12,000)	(10,000)	(11,000)	(+11,000)
ICMA transfer authority (Sec. 8110)	---	(24,000)	(24,000)	(24,000)	(24,000)	(+24,000)
Foreign Currency Fluctuations, Defense	---	---	400,000	---	---	---
Excess fuel funding (WCF cash)	---	---	-289,570	---	---	---
Tanker Replacement Transfer Fund (Sec. 8119)	---	---	438,615	---	201,715	+201,715
Iraqi/Afghan Refugee Resettlement Support (Sec. 8120)	---	---	4,000	---	4,000	+4,000
Contractor inventory	-829,780	---	-550,000	---	---	+829,780
Defense Health Program, O&M	---	---	-26,000	---	---	---
Defense Health Program, RDT&E	---	---	26,000	---	---	---
Operation & Maintenance, Air Force	---	---	-50,000	---	---	---
Chemical Agents & Munitions Destruction, DE	---	---	50,000	---	---	---
Total, Title VIII, General Provisions	-2,866,353	11,000	-1,381,494	-2,677,201	-2,185,652	+680,701

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2010
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Recommendation	Recommendation vs. Enacted
TITLE IX						
OVERSEAS CONTINGENCY OPERATIONS (OCO) 2/						
DEPARTMENT OF DEFENSE--MILITARY						
Military Personnel						
Military Personnel, Army (OCOA)	---	9,606,340	10,492,723	9,597,340	9,958,840	+9,958,840
Military Personnel, Navy (OCOA)	---	1,175,601	1,622,717	1,175,601	1,388,601	+1,388,601
Military Personnel, Marine Corps (OCOA)	---	670,722	987,470	670,722	778,722	+778,722
Military Personnel, Air Force (OCOA)	---	1,445,376	1,855,337	1,445,376	1,867,376	+1,867,376
Reserve Personnel, Army (OCOA)	---	294,637	302,637	293,637	293,137	+293,137
Reserve Personnel, Navy (OCOA)	---	39,040	39,040	37,040	37,040	+37,040
Reserve Personnel, Marine Corps (OCOA)	---	31,337	31,337	31,337	31,337	+31,337
Reserve Personnel, Air Force (OCOA)	---	24,822	24,822	19,822	19,822	+19,822
National Guard Personnel, Army (OCOA)	---	839,966	839,966	824,966	824,966	+824,966
National Guard Personnel, Air Force (OCOA)	---	18,500	18,500	9,500	9,500	+9,500
Total, Military Personnel	---	14,146,341	16,224,549	14,195,341	15,009,341	+15,009,341
Operation and Maintenance						
Operation & Maintenance, Army (OCOA)	---	52,366,761	41,836,029	51,928,187	47,821,154	+47,821,154
Operation & Maintenance, Navy (OCOA)	---	6,219,583	4,975,665	5,899,697	5,475,925	+5,475,925
Coast Guard (by transfer) (OCOA)	---	(241,503)	(241,503)	---	---	---
Operation & Maintenance, Marine Corps (OCOA)	---	3,701,600	2,961,270	3,775,270	3,430,258	+3,430,258
Operation & Maintenance, Air Force (OCOA)	---	10,026,668	7,858,885	9,929,868	9,216,319	+9,216,319
Operation & Maintenance, Defense-Wide (OCOA)	---	7,583,400	7,397,800	7,550,000	7,490,000	+7,490,000
Coalition support funds (OCOA)	---	(1,800,000)	(1,540,000)	(1,800,000)	(1,570,000)	(+1,570,000)
Operation & Maintenance, Army Reserve (OCOA)	---	204,326	169,461	234,898	204,326	+204,326
Operation & Maintenance, Navy Reserve (OCOA)	---	68,059	54,447	68,059	68,059	+68,059
Operation & Maintenance, Marine Corps Reserve (OCOA)	---	86,667	69,333	86,667	86,667	+86,667
Operation & Maintenance, Air Force Reserve (OCOA)	---	125,925	100,740	125,925	125,925	+125,925
Operation & Maintenance, Army National Guard (OCOA)	---	321,646	257,317	450,246	321,646	+321,646
Operation & Maintenance, Air National Guard (OCOA)	---	289,662	231,869	289,662	289,662	+289,662
Overseas Contingency Operations Transfer Fund	---	---	14,636,901	---	5,000,000	+5,000,000
Subtotal, Operation and Maintenance	---	80,994,697	80,543,756	80,339,459	79,531,041	+79,531,041
Iraq Freedom Fund (OCOA)	---	115,300	---	---	---	---
Afghanistan Security Forces Fund (OCOA)	---	7,462,769	7,462,769	8,562,769	8,562,769	+8,562,769
Pakistan Counterinsurgency Capability Fund (OCOA)	---	700,000	---	---	---	---
Total, Operation and Maintenance	---	89,272,766	88,006,525	88,902,228	88,093,810	+88,093,810
Procurement						
Aircraft Procurement, Army (OCOA)	---	1,636,229	1,636,229	1,119,319	1,238,219	+1,238,219
Missile Procurement, Army (OCOA)	---	531,570	469,479	475,954	475,954	+475,954
Procurement of Weapons and Tracked Combat Vehicles, Army (OCOA)	---	759,466	1,219,466	875,866	1,169,466	+1,169,466
Procurement of Ammunition, Army (OCOA)	---	370,635	370,635	365,635	365,635	+365,635
Other Procurement, Army (OCOA)	---	5,675,328	5,835,309	4,874,178	5,800,516	+5,800,516
Aircraft Procurement, Navy (OCOA)	---	916,553	869,097	1,342,677	853,297	+853,297
Weapons Procurement, Navy (OCOA)	---	50,700	73,700	50,700	50,700	+50,700
Procurement of Ammunition, Navy and Marine Corps (OCOA)	---	681,957	698,780	681,957	675,957	+675,957
Other Procurement, Navy (OCOA)	---	318,018	260,797	260,118	241,018	+241,018
Procurement, Marine Corps (OCOA)	---	1,060,268	1,100,268	868,197	893,197	+893,197
Aircraft Procurement, Air Force (OCOA)	---	780,441	825,718	738,501	738,501	+738,501
Missile Procurement, Air Force (OCOA)	---	36,625	36,625	36,625	36,625	+36,625
Procurement of Ammunition, Air Force (OCOA)	---	258,819	258,819	258,819	258,819	+258,819
Other Procurement, Air Force (OCOA)	---	2,321,549	2,278,236	3,138,021	2,583,421	+2,583,421
Procurement, Defense-Wide (OCOA)	---	491,430	489,980	480,780	480,780	+480,780
National Guard and Reserve Equipment (OCOA)	---	---	500,000	---	950,000	+950,000
Mine Resistant Ambush Protected Vehicle Fund (OCOA)	---	5,456,000	3,806,000	6,656,000	6,281,000	+6,281,000
Rapid Acquisition Fund (OCOA)	---	---	40,000	---	---	---
Total, Procurement	---	21,343,586	20,384,128	22,210,245	23,089,105	+23,089,105
Research, Development, Test and Evaluation						
Research, Development, Test & Evaluation, Army (OCOA)	---	57,962	57,962	57,962	57,962	+57,962
Research, Development, Test & Evaluation, Navy (OCOA)	---	107,180	38,280	84,180	58,080	+58,080
Research, Development, Test & Evaluation, Air Force (OCOA)	---	29,286	29,286	39,286	39,286	+39,286
Research, Development, Test and Evaluation, Defense-Wide (OCOA)	---	115,826	115,826	112,196	112,196	+112,196
Total, Research, Development, Test and Evaluation	---	310,254	241,354	293,624	268,104	+268,104

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2010
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Recommendation	Recommendation vs. Enacted
Revolving and Management Funds						
Defense Working Capital Funds (ODOA)	---	396,915	412,215	412,215	412,215	+412,215
Total, Revolving and Management Funds	---	396,915	412,215	412,215	412,215	+412,215
Other Department of Defense Programs						
Defense Health Program (ODOA)	---	1,256,675	1,155,235	1,563,675	1,256,675	+1,256,675
Drug Interdiction and Counter-Drug Activities, Defense (ODOA)	---	324,603	317,603	353,603	346,603	+346,603
Joint IED Defeat Fund (ODOA)	---	1,535,000	1,490,000	2,033,500	1,762,010	+1,762,010
Office of the Inspector General (ODOA)	---	8,876	8,876	8,876	8,876	+8,876
Total, Other Department of Defense Programs	---	3,125,154	2,971,714	3,959,714	3,374,164	+3,374,164
TITLE IX General Provisions						
Additional transfer authority (ODOA) (Sec. 9002)	---	(4,000,000)	(3,000,000)	(4,000,000)	(4,000,000)	(+4,000,000)
Fuel	---	---	---	329,000	---	---
Defense Cooperation Account (ODOA)	---	---	8,500	---	---	---
Total, General Provisions	---	---	8,500	329,000	---	---
Total, Title IX	---	128,595,016	128,246,985	128,221,367	128,246,730	+128,246,730
Total for the bill (net)	477,644,889	629,685,852	625,837,679	625,815,332	625,919,024	+148,274,135
OTHER APPROPRIATIONS						
SUPPLEMENTAL APPROPRIATIONS ACT, 2008 (PL 110-252)						
Title IX, Defense Matters						
Chapter 2, Defense Bridge Fund Appropriations for FY 2008 (emergency)	65,921,157	---	---	---	---	-65,921,157
Special transfer authority (emergency)	(4,000,000)	---	---	---	---	(-4,000,000)
Subtotal, Chapter 2, FY 2008 (emergency)	65,921,157	---	---	---	---	-65,921,157
Total, Public Law 110-252 (emergency)	65,921,157	---	---	---	---	-65,921,157
AMERICAN RECOVERY & REINVESTMENT ACT, 2009 (PL 111-5)						
Title III, Department of Defense						
Operation and Maintenance (emergency)	3,840,000	---	---	---	---	-3,840,000
Research, Development, Test & Evaluation (emergency)	300,000	---	---	---	---	-300,000
Other Department of Defense programs (emergency)	415,000	---	---	---	---	-415,000
Total, Public Law 111-5 (emergency)	4,555,000	---	---	---	---	-4,555,000
SUPPLEMENTAL APPROPRIATIONS ACT, 2009 (PL 111-32)						
TITLE III DEPARTMENT OF DEFENSE						
Military Personnel (ODOA)	18,726,150	---	---	---	---	-18,726,150
Operation & Maintenance (ODOA)	28,540,175	---	---	---	---	-28,540,175
Afghanistan Security Forces Fund (ODOA)	3,606,939	---	---	---	---	-3,606,939
Pakistan Counterinsurgency Fund (ODOA)	400,000	---	---	---	---	-400,000
Procurement (ODOA)	25,846,718	---	---	---	---	-25,846,718
Research, Development, Test and Evaluation (ODOA)	833,499	---	---	---	---	-833,499
Revolving and Management Funds (ODOA)	861,726	---	---	---	---	-861,726
Other Department of Defense Programs (ODOA)	2,301,992	---	---	---	---	-2,301,992
Special DE transfer authority (this title only)	(2,500,000)	---	---	---	---	(-2,500,000)
Defense Cooperation Account (ODOA)	8,500	---	---	---	---	-8,500
Iraq Security Forces Fund (emergency)	1,000,000	---	---	---	---	-1,000,000
(rescission) (emergency)	-1,000,000	---	---	---	---	+1,000,000
Fuel (rescission)	-1,003,007	---	---	---	---	+1,003,007
(overseas deployments and activities) (rescission)	-1,906,993	---	---	---	---	+1,906,993
Classified and other (ODOA) (rescission)	-1,051,160	---	---	---	---	+1,051,160
Procurement, Army (ODOA) (rescission)	-354,000	---	---	---	---	+354,000
Operation & maintenance, Def-Wide (ODOA) (rescission)	-181,500	---	---	---	---	+181,500
Stop Loss Transfer Fund (ODOA)	534,400	---	---	---	---	-534,400
Total, Public Law 111-32 (ODOA)	77,161,439	---	---	---	---	-77,161,439
Total, Other Appropriations	147,637,596	---	---	---	---	-147,637,596
Net grand total (including other appropriations)	625,282,485	629,685,852	625,837,679	625,815,332	625,919,024	+636,539

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT-FY 2010
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Recommendation	Recommendation vs. Enacted
CONGRESSIONAL BUDGET RECAP						
Scorekeeping adjustments:						
Lease of defense real property (permanent)	3,000	3,000	3,000	3,000	3,000	---
Disposal of defense real property (permanent)	17,000	31,000	31,000	31,000	31,000	+14,000
O&M, Army transfer to National Park Service:						
Defense function	-2,500	---	---	---	---	+2,500
Non-defense function	2,500	---	---	---	---	-2,500
Tricare accrual (permanent, indefinite auth.) 3/	10,351,000	10,707,000	10,707,000	10,707,000	10,707,000	+356,000
Retired/retainer pay (PL 111-32 Sec 318)(OOOA)	---	5,000	5,000	5,000	5,000	+5,000
Less emergency appropriations	-70,476,157	---	---	---	---	+70,476,157
Total, scorekeeping adjustments	-60,105,157	10,746,000	10,746,000	10,746,000	10,746,000	+70,851,157
Adjusted total (includ. scorekeeping adjustments)	565,177,328	640,431,852	636,583,879	636,561,332	636,665,024	+71,487,696
Appropriations	(567,500,808)	(640,431,852)	(637,975,218)	(637,839,333)	(637,909,081)	(+70,408,273)
Rescissions	(-2,323,480)	---	(-1,391,339)	(-1,278,001)	(-1,244,057)	(+1,079,423)
Total (including scorekeeping adjustments)	565,177,328	640,431,852	636,583,879	636,561,332	636,665,024	+71,487,696
Amount in this bill	(625,282,485)	(629,685,852)	(625,837,879)	(625,815,332)	(625,919,024)	(+636,539)
Scorekeeping adjustments	(-60,105,157)	(10,746,000)	(10,746,000)	(10,746,000)	(10,746,000)	(+70,851,157)
Total mandatory and discretionary	565,177,328	640,431,852	636,583,879	636,561,332	636,665,024	+71,487,696
Mandatory	279,200	290,900	290,900	290,900	290,900	+11,700
Discretionary	564,898,128	640,140,952	636,292,979	636,270,432	636,374,124	+71,475,996
RECAPITULATION						
Title I - Military Personnel	114,443,890	125,264,942	122,378,016	124,817,192	124,170,847	+9,726,957
Title II - Operation and Maintenance	152,949,705	156,444,204	154,176,741	154,005,801	154,253,711	+1,304,006
Title III - Procurement	101,051,708	105,213,426	104,837,809	106,016,143	104,397,262	+3,345,554
Title IV - Research, Development, Test and Evaluation	80,520,837	78,634,269	80,237,955	78,450,388	80,537,479	+16,642
Title V - Revolving and Management Funds	3,155,806	3,119,762	3,147,762	2,987,762	3,127,762	-28,044
Title VI - Other Department of Defense Programs	27,400,054	31,439,501	33,292,203	31,242,168	32,372,064	+4,972,010
Title VII - Related Agencies	989,242	963,712	901,902	1,041,712	998,812	+9,570
Title VIII - General Provisions (net)	-2,866,353	11,000	-1,381,494	-2,677,201	-2,185,652	+680,701
Title IX - Overseas Deployments and Other Activities	---	128,595,016	128,246,986	128,221,367	128,246,739	+128,246,739
Total, Department of Defense	477,644,889	629,685,852	625,837,879	625,815,332	625,919,024	+148,274,135
Other defense appropriations	147,637,596	---	---	---	---	-147,637,596
Total funding available (net)	625,282,485	629,685,852	625,837,879	625,815,332	625,919,024	+636,539
Scorekeeping adjustments	-60,105,157	10,746,000	10,746,000	10,746,000	10,746,000	+70,851,157
Total mandatory and discretionary	565,177,328	640,431,852	636,583,879	636,561,332	636,665,024	+71,487,696

FOOTNOTES:
1/ Included in Budget under Procurement title.
2/ Overseas Deployments and Other Activities (OOOA) pursuant to FY 2010 concurrent budget resolution.
3/ Contributions to Department of Defense Retiree Health Care Fund (Sec. 725, P.L. 108-375)(CBO est)

DIVISION B—OTHER MATTERS

Section 1001 provides such sums as are necessary for the Supplemental Nutrition Assistance Program (SNAP), to be held in reserve for use in such amounts and at such times as may be necessary to carry out the program. The fiscal year 2010 appropriation for SNAP was based on the latest official projection available to Congress at that time—the Office of Management and Budget's Mid-Session Review—and can support a large increase in participation over fiscal year 2009. However, increases in participation levels in the latter part of fiscal year 2009 were very high. If those rates of increase continue, the current appropriation level would not be sufficient to meet program participation.

Section 1002 provides $400,000,000 in additional funding for state administrative expenses under the Supplemental Nutrition Assistance Program, to assist states in dealing with high program participation levels, designated as an emergency requirement.

Section 1003 extends the authorization for compulsory copyright license used by satellite television providers to February 28, 2010. Funding is fully offset.

Section 1004 provides extension to certain provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2010.

Section 1005 extends the National Flood Insurance Program through February 28, 2010.

Section 1006 provides $125,000,000 to the Small Business Administration (SBA), to continue two temporary enhancements to SBA loan guarantee programs made by the American Recovery and Reinvestment Act of 2009 and which are nearly out of funding. One of the enhancements being extended allows the SBA to guarantee 90 percent of certain small business loans, instead of the 75 percent allowed under permanent law (or 85 percent for small loans), thereby encouraging banks to make these loans by reducing the amount they have at risk and the reserves they must hold. The other reduces fees paid by lenders and borrowers. The funding provided in the bill is estimated to be sufficient to continue both items through February 28, 2010. The bill also extends the expiration date of the authorization for the 90 percent loan guarantees from February 17 to February 28, 2010. Funding is fully offset.

Section 1007 will release upon enactment to Swain County, North Carolina $4,000,000 of previously appropriated funds, with the remaining $8,800,000 to be made available 120 days after the County, the state of North Carolina, the Interior Department and the Tennessee Valley Authority reach a settlement.

Section 1008 extends the authorization for the highway, transit, highway safety and motor carrier safety programs of the Department of Transportation until February 28, 2010.

Section 1009 provides an extension of expiring UI benefit provisions that were established or continued in the American Recovery and Reinvestment Act, including the Emergency Unemployment Compensation program, 100 percent Federal funding for the Extended Benefits program, and the extra $25 weekly UI benefit through February 28, 2010.

Section 1010 extends the 65 percent COBRA health insurance subsidy from nine to 15 months for individuals who have lost their jobs. The job lost eligibility date is extended in the provision through February 28, 2010.

Section 1011 delays a scheduled 21.2 percent reduction in Medicare's 2010 physician payments through February 28, 2010.

Section 1012 includes a provision to freeze the Department of Health and Human Services poverty guidelines at 2009 levels in order to prevent a reduction in eligibility for certain means-tested programs, including Medicaid, Supplemental Nutrition Assistance Program (SNAP), and child nutrition, through March 1, 2010.

Section 1013 rescinds funds from the digital television conversion coupon program.

Section 1014 provides that explanatory statement submitted by the Chairman of the Defense Subcommittee shall have the same effect as a joint explanatory statement.

DISCLOSURE OF CONGRESSIONAL EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Following is a list of congressional earmarks and congressionally directed spending items (as defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, respectively) included in the amended bill or the explanatory statement, along with the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Neither the amended bill nor the explanatory statement contains any limited tax benefits or limited tariff benefits as defined in the applicable House or Senate rules.

DEFENSE

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
AP,A	Air Filtration Systems for National Guard Helicopters	$800,000	Akin	Bond
AP,A	Air Warrior Ensemble Generation III	$3,000,000		Warner; Webb
AP,A	Army National Guard UH–60 Rewiring Program	$8,000,000	Granger	
AP,A	Automatic Identification Technology Life Cycle Asset Management	$1,200,000		Shelby
AP,A	CH–47 Helicopter Forward and Aft Hook Project	$2,400,000	Baird	
AP,A	CH–47F Common Avionics Architecture System-Pilot Vehicle Interface	$2,720,000	Hinchey; Latham; McHugh	Grassley; Sessions
AP,A	Civil Support Communications Systems for Kentucky Army National Guard UH–60 Aircraft	$1,600,000	Rogers (KY)	Bunning
AP,A	Forward Looking Infrared Sensors for UH–60 Medevac Helicopters for the Minnesota National Guard	$800,000	Oberstar	Klobuchar
AP,A	Internal Auxiliary Fuel Tank System	$2,400,000	Franks (AZ); Bishop (UT); Pastor (AZ)	Bennett; Hatch; Leahy
AP,A	Recoil UH–60 Wild Land Fire-Fighting Tank System	$3,200,000		Merkley; Wyden
AP,A	UH–72A Integrated Vehicle Management System	$1,600,000		Johnson; Leahy
AP,A	Vibration Management Enhancement Program	$3,000,000	Clyburn; Wilson (SC)	
AP,AF	ARC 210 Radios for ANG F–16s	$1,600,000		Brownback; Harkin; Hatch; Merkley; Nelson (FL); Wyden
AP,AF	C–130 Active Noise Cancellation System	$2,400,000	Tiahrt	Brownback; Roberts
AP,AF	Civil Air Patrol	$4,000,000	Tiahrt	Roberts
AP,AF	Large Aircraft Podded Infrared Countermeasures Systems for Air Force Reserve KC–135	$1,200,000	Bean	
AP,AF	LITENING 4th Generation Kit Upgrades	$2,000,000	Boozman; Herseth Sandlin	Johnson; Landrieu; Thune
AP,AF	Miniature Air-Launched Decoy	$1,600,000		Warner; Webb
AP,AF	Scathe View Hyper-Spectral Imagery Upgrade for Nevada ANG	$3,600,000	Titus; Berkley; Heller	Reid

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
AP,AF	Senior Scout, Electro-Optical Infrared Capability	$4,800,000	Bishop (UT)	Bennett; Hatch
AP,AF	Senior Scout, Line of Sight Datalink	$2,400,000	Bishop (UT)	Bennett; Hatch
AP,AF	Senior Scout, Remote Operations Capability	$2,400,000	Bishop (UT)	Bennett; Hatch
AP,AF	Support Equipment for Time Critical Targeting, Senior Scout	$3,000,000		Bennett; Crapo; Risch
AP,N	Advanced Skills Management Command Portal—Fleet Readiness Centers	$2,000,000	Dicks	Cantwell
AP,N	AN/AAR–47D(V)X Missile Warning System	$4,000,000	Young (FL)	Nelson (FL)
AP,N	Crane Integrated Defensive Electronic Countermeasures Depot Capability	$1,600,000	Ellsworth	Lugar
AP,N	Direct Squadron Support Readiness Training Program	$3,200,000		Byrd
AP,N	Multi-Mission Helicopter Avionics System Test Bed	$1,500,000	Hoyer	
AP,N	UC–12 Replacement Aircraft	$1,960,000		Brownback
AP,N	Universal Avionics Recorder Wireless Flight Download Data	$800,000	Harman	
DHP	AFIP/Joint Pathology Center Records Digitization and Repository Modernization	$12,000,000		Byrd
DHP	Composite Operational Health and Occupational Risk Tracking System	$2,400,000	Tiahrt	Brownback
DHP	Enhanced Medical Situational Awareness	$1,920,000		Kohl
DHP	Epidemiologic Health Survey	$720,000	Loebsack	Grassley; Harkin
DHP	Fort Drum Regional Health Planning Organization	$430,000	McHugh	Schumer
DHP	Hawaii Federal Health Care Network	$23,000,000		Inouye
DHP	Lung Injury Management	$1,160,000		Corker
DHP	Madigan Army Medical Center Trauma Assistance	$2,500,000	Dicks; Smith (WA)	Cantwell; Murray
DHP	Military Physician Combat Medical Training	$1,000,000	Brown, Corrine (FL)	Nelson (FL)
DHP	Patient Care Improvement Project at Keesler Medical Center	$3,280,000		Cochran
DHP	Regional Telepathology Initiative at Keesler AFB	$1,680,000		Cochran
DHP	Security Solutions from Life in Extreme Environments Center	$800,000	Cummings	Crapo; Risch
DHP	Shock Trauma Center Operating Suites	$2,400,000	Ruppersberger; Cummings	
DHP	Web-Based Teaching Programs for Military Social Work	$3,200,000	Roybal-Allard	Boxer
DHP	Wide Area Virtual Environment Simulation for Medical Readiness Training	$2,400,000	Van Hollen	
DPA	Advanced Carbon Nanotube Volume Production Facility	$2,400,000	Hodes	Gregg; Shaheen
DPA	Aluminum Oxy-Nitride and Spinel Optical Ceramics	$2,400,000	Bono Mack; Higgins; Tierney	Schumer
DPA	Armor and Structures Transformation Initiative-Steel to Titanium	$8,100,000	Murtha	
DPA	Automated Composite Technologies and Manufacturing Center	$9,600,000	Bishop (UT)	Bennett; Hatch
DPA	Bio-synthetic Paraffinic Kerosene Production	$4,000,000		Burris
DPA	Conductive Composites Nano-Materials Scale-Up Initiative	$2,800,000		Bennett; Hatch
DPA	Extremely Large, Domestic Expendable and Reusable Structures Manufacturing Center	$7,840,000	Aderholt; Griffith	Cochran; Shelby; Wicker
DPA	Flexible Aerogel Materials Supplier Initiative	$2,400,000	Kennedy	Reed; Whitehouse
DPA	Goodrich Terahertz Spectrometer	$4,000,000		Dodd; Lieberman
DPA	High Homogeneity Optical Glass	$3,200,000		Casey; Specter
DPA	High Performance Thermal Battery Infrastructure Project	$3,000,000	Young (FL)	
DPA	Inventory for Defense Applications to Ensure Reliability of Short Lead Times	$10,000,000	Murtha	
DPA	Lightweight Small Caliber Ammunition Production Initiative	$3,760,000	Taylor	Cochran; Wicker
DPA	Low Cost Military Global Positioning System (GPS) Receiver	$3,200,000	Loebsack; Latham	Grassley; Harkin
DPA	Metal Injection Molding Technological Improvements	$800,000	Pascrell	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
DPA	Military Lens System Fabrication and Assembly	$3,200,000	Murtha	
DPA	Navy Production Capacity Improvement Project	$3,200,000	Dent	Casey; Specter
DPA	Production of Miniature Compressors for Electronics and Personal Cooling	$3,600,000	Rogers (KY)	
DPA	Radiation Hardened Cryogenic Read Out Integrated Circuits	$1,600,000	Simpson	
DPA	Titanium Metal Matrix Composite and Nano-Enhanced Titanium Development	$6,400,000		Byrd
DRUGS	Alaska National Guard Counter-Drug Program	$2,400,000		Begich
DRUGS	Delaware National Guard Counter-Drug Task Force	$300,000	Castle	Carper; Kaufman
DRUGS	Florida Counter-Drug Program	$2,900,000	Putnam; Brown, Corrine (FL); Young (FL)	Nelson (FL)
DRUGS	Hawaii National Guard Counter-Drug Program	$3,000,000		Inouye
DRUGS	HERON Maritime UAS for SOUTHCOM	$9,340,000	Childers	Cochran; Wicker
DRUGS	Indiana National Guard Counter-Drug Program	$2,400,000	Visclosky	
DRUGS	Kentucky National Guard Counter-Drug Program	$3,600,000	Rogers (KY)	McConnell
DRUGS	Midwest Counter-Drug Training Center	$6,000,000		Grassley; Harkin
DRUGS	Minnesota National Guard Counter-Drug Program	$1,600,000	Oberstar	Klobuchar
DRUGS	Montana National Guard Counter-Drug Task Force	$800,000		Tester
DRUGS	Nevada National Guard Counter-Drug Program	$4,000,000	Titus; Berkley	Reid
DRUGS	New Mexico National Guard Counter-Drug Program	$4,800,000	Teague	Bingaman; Udall (NM)
DRUGS	North Carolina Counter-Drug Task Force	$800,000	Jones (NC); Butterfield; Shuler	Hagan
DRUGS	Northeast Counter-Drug Training Center	$4,500,000		Casey, Specter
DRUGS	Regional Counter-Drug Training Academy—Meridian	$2,800,000	Harper	Cochran
DRUGS	Tennessee National Guard Appalachia High Intensity Drug Trafficking Area	$4,000,000	Tanner; Davis (TN)	Alexander; Corker
DRUGS	West Virginia Counter-Drug Program	$800,000		Byrd
DRUGS	Western Region Counter-Drug Training Center	$2,500,000	Dicks; Baird; Larsen (WA); McDermott; Smith (WA)	Cantwell; Murray
GP	Alaska Territorial Guard			Begich; Murkowski
GP	Arrest Deterioration of Ford Island Aviation Control Tower, Pearl Harbor, HI	$3,840,000	Abercrombie	
GP	Center for Military Recruitment, Assessment and Employment	$3,000,000	Roskam	
GP	Edward M. Kennedy Institute for the Senate	$18,900,000	Markey (MA)	Inouye; Kerry; Kirk
GP	Joint Venture Education Program	$5,500,000		Inouye
GP	Marshall Legacy Institute	$500,000	Murtha	
GP	National World War II Museum	$20,000,000	Cao	Landrieu; Vitter
GP	New Jersey Technology Center	$3,000,000	Holt; Pallone	Lautenberg; Menendez
GP	Our Military Kids	$800,000	Connolly; Kennedy; Kilroy; Moran (VA); Ortiz	
GP	Paralympics Military Program	$5,000,000	Kennedy, Langevin	Reed
GP	Riverside General Hospital, Houston, TX	$1,000,000	Jackson-Lee (TX)	
GP	SOAR Virtual School District	$6,000,000	Braley	Grassley, Harkin
GP	The Presidio Heritage Center	$5,000,000	Pelosi	
GP	Training Range Upgrades			Murkowski
GP	U.S.S. Missouri Memorial Association	$5,000,000		Inouye
GP	Vietnam Veterans Memorial Fund for De-mining Activities	$1,000,000	Murtha	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
GP	Women In Military Service for America Memorial	$1,600,000	Richardson; Bordallo; Granger; Schakowsky	
ICMA	Language Mentorship Program incorporating an electronic portfolio	$800,000	Boswell	
MILPERS, ANG	Joint Interagency Training and Education Center	$1,000,000		Byrd
MILPERS, ARNG	Joint Interagency Training and Education Center	$3,250,000		Byrd
MILPERS, ARNG	WMD Civil Support Team for Florida	$1,200,000	Young (FL)	
MILPERS, ARNG	WMD Civil Support Team for New York	$200,000	McMahon; Hall (NY); Hinchey	Gillibrand
OM,A	Air Battle Captain ROTC Helicopter Training	$1,760,000	Pomeroy	Conrad; Dorgan
OM,A	Air-Supported Temper Tent	$3,000,000	Rogers (KY)	
OM,A	Americans with Disabilities Act Compliance for the Historical Fort Hamilton Community Club	$1,440,000	McMahon	Schumer
OM,A	Anti-Corrosion Nanotechnology Solutions for Logistics	$800,000	Rahall	
OM,A	Army Command and General Staff College Leadership Training Program	$2,000,000	Jenkins	Brownback; Roberts
OM,A	Army Conservation and Ecosystem Management	$4,000,000		Inouye
OM,A	Army Force Generation Synchronization Tool	$800,000	Dent; Bishop (UT); Dingell	Bennett; Casey; Levin; Specter; Stabenow
OM,A	Biometrics Operations Directorate Transition	$1,600,000		Byrd
OM,A	Common Logistics Operating System	$1,600,000	Bishop (GA)	
OM,A	Critical Language Instruction for Military Personnel, Education, Training and Distance Learning	$2,400,000	Putnam	
OM,A	Defense—Fire Alarm / Detection System Installation for the Historical Fort Hamilton Community Club	$400,000	McMahon	Schumer
OM,A	Defense Job Creation and Supply Chain Initiative	$2,400,000	Posey; Brown, Corrine (FL)	
OM,A	Defense—Sprinkler System Installation for the Historical Fort Hamilton Community Club	$960,000	McMahon	Schumer
OM,A	Desert Locust Laser Protective Lens	$2,400,000		Leahy
OM,A	Diversity Recruitment for West Point Military Academy	$800,000	Hall (NY)	Schumer
OM,A	Fort Benning National Incident Management System Compliant Installation Operations Center	$4,000,000	Bishop (GA); Rogers (AL)	Chambliss
OM,A	Fort Bliss Data Center	$1,360,000	Reyes	
OM,A	Fort Hood Training Lands Restoration and Maintenance	$2,000,000	Carter; Edwards (TX)	
OM,A	Genocide Prevention Course through Combined Arms Center	$1,280,000	Israel	Schumer
OM,A	Ground Combat System Knowledge Center and Technical Inspection Data Capture	$1,000,000	Moran (VA)	
OM,A	Initiative to Increase Minority Participation In Defense	$6,400,000	Fattah	
OM,A	IT and Information Management Upgrades, Fort Greely, AK	$300,000		Murkowski
OM,A	Lightweight Tactical Utility Vehicles	$3,600,000	Petri, Kissell	
OM,A	Logistics Interoperability	$1,200,000	Rahall	
OM,A	Modular Command Post Tent	$4,800,000	Rogers (KY)	
OM,A	Net-Centric Decision Support Environment Sense and Respond Logistics	$2,000,000	Bishop (GA)	
OM,A	Online Technology Training Program at Joint Base Lewis-McChord	$1,600,000	Dicks	
OM,A	Operational / Technical Training Validation for Joint Maneuver Forces at Fort Bliss	$800,000	Reyes	
OM,A	Post Security Enhancements, Fort Greely, AK	$800,000		Murkowski
OM,A	Repair Heating, Ventilation, Air Conditioning System in National Simulations Center	$1,428,000	Jenkins	
OM,A	Rock Island Arsenal Building 299 Roof Replacement	$5,800,000	Braley	Grassley; Harkin
OM,A	ROTC and Reserve Component Strategic Language Hub Pilot	$1,200,000	Deal, Marshall	

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
OM,A	Rule of Law	$500,000		Graham
OM,A	Transformation of ISO Containers to Smart Containers	$3,300,000		Burr
OM,A	TRANSIM Driver Training	$3,500,000	Kingston; Bishop (UT); Matheson	
OM,A	UH–60 Leak Proof Drip Pans	$2,500,000	Rogers (KY)	
OM,A	US Army ROTC Emergency Facility Renovation	$935,000	Posey	
OM,AF	Advanced Autonomous Robotic Inspections for Aging Aircraft	$800,000	Cole; Fallin	
OM,AF	Air Education and Training Command Range Improvements at the Barry M. Goldwater Range	$1,200,000	Giffords; Franks (AZ); Grijalva; Pastor (AZ)	
OM,AF	Air Force Academy Space and Defense Studies Research and Curriculum Development	$300,000		Bennet; Udall (CO)
OM,AF	Alaska Joint Command and Control Infrastructure and Physical Security	$1,560,000		Murkowski
OM,AF	Defense Critical Languages and Cultures Initiative	$3,000,000	Conaway	Cornyn; Hutchison
OM,AF	Demonstration Project for Contractors Employing Persons with Disabilities	$3,200,000	Tiahrt	Brownback
OM,AF	Diversity Recruitment for Air Force Academy	$550,000	Becerra	
OM,AF	Expert Knowledge Transformation Project	$1,600,000	Gonzalez	
OM,AF	Joint Aircrew Combined System Tester (JCAST)	$1,600,000	Biggert	
OM,AF	Joint Pacific Alaska Range Complex (JPARC) Enhancements	$6,900,000		Murkowski
OM,AF	MacDill Air Force Base Online Technology Program	$800,000	Castor (FL)	
OM,AF	Military Medical Training and Disaster Response Program	$1,600,000	Mitchell	
OM,AF	Minority Aviation Training Program	$1,000,000	Meek (FL)	
OM,AF	Mission Essential Airfield Operations Equipment	$931,000		Reid
OM,AF	National Center for Integrated Civilian-Military Domestic Disaster Medical Response	$3,200,000	DeLauro	Dodd; Lieberman
OM,AF	USAF Engine Trailer Life Extension Program	$2,400,000		Reid
OM,AF	Wage Issue Modification for USFORAZORES Portuguese National Employees	$240,000	Frank (MA)	
OM,AF	Warner Robins Air Logistics Center Strategic Airlift Aircraft Availability Improvement	$3,200,000	Kingston; Marshall	Isakson
OM,ANG	190th Air Refueling Wing Squadron Operations Facility	$6,600,000	Jenkins	Brownback
OM,ANG	Controlled Humidity Protection for McEntire Joint National Guard Base (SCANG Facilities)	$2,160,000	Wilson (SC)	Graham
OM,ANG	Critical Infrastructure Interdependencies Vulnerabilities Assessment (CIIVA) Program	$2,000,000		Murray
OM,ANG	Facility Renovations and Retrofit, 168th Air Refueling Wing	$1,300,000		Murkowski
OM,ANG	Force Protection and Training Equipment	$465,000	Graves	
OM,ANG	Joint Interagency Training and Education Center	$150,000		Byrd
OM,ANG	Joint Interoperability Coordinated Operations and Training Exercise	$515,000	Kingston	
OM,ANG	Smoky Hill Range Access Road Improvements	$800,000	Moran (KS)	Brownback
OM,AR	Nevada National Guard Joint Operations Center	$800,000	Heller	Reid
OM,ARNG	Advanced Law Enforcement Rapid Response Training	$800,000	Doggett	
OM,ARNG	Advanced Trauma Training Course for the Illinois National Guard	$2,000,000	Davis (IL); Jackson (IL)	Burris
OM,ARNG	Army National Guard M939A2 Repower Program	$4,000,000	Carter	
OM,ARNG	Army National Guard Unit History Records	$4,000,000		Bennett
OM,ARNG	ARNG Battery Modernization Program	$1,600,000		Bond
OM,ARNG	Camp Ethan Allen Training Site Road Equipment	$300,000	Welch	Leahy; Sanders
OM,ARNG	CID Equipment	$449,000	Cuellar	
OM,ARNG	Colorado National Guard Reintegration Program	$1,000,000		Bennet; Udall (CO)

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
OM,ARNG	Florida Army National Guard Future Soldier Trainer	$2,400,000	Meek (FL)	
OM,ARNG	Full Cycle Deployment Support Pilot Program	$3,200,000	Hodes; Shea-Porter	Gregg; Shaheen
OM,ARNG	High-Mobility Multipurpose Wheeled Vehicle Repair	$20,000,000		Collins; Snowe
OM,ARNG	Joint Command Vehicle and Supporting C3 System	$1,800,000	Shea-Porter; Hodes	
OM,ARNG	Joint Interagency Training and Education Center	$5,600,000		Byrd
OM,ARNG	Marksmanship Skills Trainer	$2,000,000	Conaway; Ortiz	Cornyn
OM,ARNG	Minnesota National Guard Beyond the Yellow Ribbon Reintegration Program	$2,000,000	Walz; Ellison; Oberstar; Paulsen; Peterson	Klobuchar
OM,ARNG	Multi-Jurisdictional Counter-Drug Task Force Training	$2,800,000	Young (FL)	
OM,ARNG	National Guard and First Responder Resiliency Training	$1,500,000		Brownback
OM,ARNG	National Guard Civil Support Team/CBRNE Enhanced Response Force Package	$1,200,000	Dicks; Hastings (WA)	
OM,ARNG	North Carolina National Guard Family Assistance Centers	$1,280,000	Butterfield; Etheridge; McIntyre; Miller (NC); Price (NC); Shuler; Watt	Burr; Hagan
OM,ARNG	Oregon National Guard Reintegration Program	$960,000	Schrader	Merkley; Wyden
OM,ARNG	Re-establishing Ties: The Road from Warrior to the Community	$3,000,000	Adler; Smith (NJ)	Lautenberg; Menendez
OM,ARNG	Regional Geospatial Service Centers	$2,000,000	Gohmert	Hutchison
OM,ARNG	Repair of Military Asset Storage Facilities	$2,300,000		Byrd
OM,ARNG	Supplemental Child Care Support for Families of Deployed Vermont Reserve Component	$1,600,000		Sanders
OM,ARNG	Tools for Maintenance Conversion	$1,600,000		Burris
OM,ARNG	Training Aid Suite for Vermont NG Training Sites	$1,046,400	Welch	Sanders
OM,ARNG	UH–60 Leak Proof Drip Pans	$2,000,000	Rogers (KY)	
OM,ARNG	Vermont Army National Guard Security Upgrades	$744,000	Welch	Leahy; Sanders
OM,ARNG	Vermont National Guard Family Assistance Centers	$500,000		Sanders
OM,ARNG	Vermont Service Member, Veteran, and Family Member Outreach, Readiness, and Reintegration Program	$2,400,000		Leahy; Sanders
OM,ARNG	WMD Civil Support Team for Florida	$2,000,000	Young (FL)	
OM,ARNG	WMD Civil Support Team for New York	$500,000	McMahon; Hinchey	Schumer
OM,ARNG	WMD Multi-Sensor Response and Infrastructure Project System	$1,600,000	Fallin	
OM,DW	Almaden AFS Environmental Assessment and Remediation	$3,200,000	Honda; Lofgren	Boxer; Feinstein
OM,DW	Armed Forces Health and Food Supply Research	$800,000		Roberts
OM,DW	Castner Range Conservation Conveyance Study	$300,000	Reyes	
OM,DW	Centerville Naval Housing Transfer	$4,800,000	Thompson (CA)	
OM,DW	Counter Threat Finance—Global	$1,600,000	Ryan (OH)	
OM,DW	Critical Language Training	$1,600,000	Davis (CA)	
OM,DW	Defense-Critical Languages and Cultures Program	$2,000,000	Rehberg	Baucus; Tester
OM,DW	Drydock #1 Remediation and Disposal	$3,000,000	Pelosi	
OM,DW	Eliminate Public Safety Hazards	$1,072,000	Slaughter	Schumer
OM,DW	George AFB (New and Existing Infrastructure Improvements)	$1,000,000	McKeon	
OM,DW	Hunters Point Naval Shipyard Remediation	$9,000,000	Pelosi	
OM,DW	McClellan AFB Infrastructure Improvements	$800,000	Matsui	Boxer
OM,DW	Middle East Regional Security Program	$2,400,000	Berman	
OM,DW	Military Intelligence Service Historic Learning Center	$1,000,000	Pelosi	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
OM,DW	MS GIS Educational and Research Program	$1,000,000	Lewis (CA)	
OM,DW	Naval Station Ingleside Redevelopment	$1,000,000	Ortiz	Hutchison
OM,DW	Norton AFB (New and Existing Infrastructure Improvements)	$4,800,000	Lewis (CA)	
OM,DW	NSW Protective Combat Uniform	$2,500,000	Granger	
OM,DW	Phase I of Berth N–2 Reconstruction of MOTBY Ship Repair Facility	$3,600,000	Sires	Lautenberg; Menendez
OM,DW	Remediation of Jet Fuel Contamination at Floyd Bennett Field	$2,400,000	Weiner	Schumer
OM,DW	Soldier Center at Patriot Park, Ft. Benning	$4,000,000	Bishop (GA)	
OM,DW	Special Operations Forces Modular Glove System	$4,780,000	Kratovil; Baird; Castle; McDermott	Carper; Kaufman; Mikulski; Murray; Reed
OM,DW	Strategic Language Initiative	$2,880,000	Richardson; Royce; Watson	Boxer
OM,DW	Thorium/Magnesium Excavation—Blue Island	$1,600,000	Jackson (IL)	
OM,DW	Translation and Interpretation Skills for DoD	$1,600,000	Farr	
OM,MC	Family of Shelters and Tents	$1,600,000		Warner; Webb
OM,MC	Flame Resistant High Performance Apparel	$1,200,000	Kissell	Burr; Hagan
OM,MC	Hemostatic Combat Gauze	$800,000	DeLauro	Dodd; Lieberman
OM,MC	MGPTS Type III or Rapid Deployable Shelter	$2,400,000	Hinchey	Schumer
OM,MC	Rapid Data Management System	$2,500,000		Gregg
OM,MC	Spray Technique Analysis and Research for Defense (STAR4D)	$2,200,000	Braley	Grassley; Harkin
OM,MC	Ultra Lightweight Camouflage Net System (ULCANS)	$2,800,000	Etheridge; Coble	Burr; Hagan
OM,N	ATIS Maintenance and Enhancement Program	$800,000	Rahall	
OM,N	Brown Tree Snake Program	$500,000	Bordallo	
OM,N	Center for Defense Technology and Education for the Military Services (CDTEMS)	$5,600,000	Farr	
OM,N	Continuing Education—Distance Learning at Military Installations	$1,600,000	Brown-Waite, Ginny (FL)	
OM,N	Digitization, Integration, and Analyst Access of Investigative Files, Naval Criminal Investigative Services	$4,000,000		Byrd
OM,N	Diversity Recruitment for Naval Academy	$800,000	Becerra	
OM,N	Energy Education and Training for Military Personnel	$500,000	Pomeroy	Conrad; Dorgan
OM,N	Enhanced Navy Shore Readiness Integration	$4,000,000	Dicks	
OM,N	Fleet Readiness Data Assessment	$1,920,000	Calvert	
OM,N	Institute for Threat Reduction and Response—Simulated and Virtual Training Environments	$960,000	Brown, Corrine (FL)	
OM,N	Mk 45 Mod 5 Gun Depot Overhauls	$12,000,000		McConnell
OM,N	Naval Strike Air Warfare Center OEF/OIF training (Terminal Attack Control)	$800,000		Reid
OM,N	Navy Ship Disposal—Carrier Demonstration Project	$2,400,000	Ortiz	
OM,N	Puget Sound Naval Maintenance and Repair Process Improvements	$1,680,000	Dicks	Cantwell
OM,N	Puget Sound Navy Museum	$600,000	Dicks	
OM,NR	Developing and Testing Environmentally Safe Decontaminating Agents for Bio-defense, Biomedical, and Environmental Use	$1,200,000	Diaz-Balart, Mario (FL)	
OP,A	Call for Fire Trainer II/Joint Fires and Effects Trainer System	$5,000,000	Cole	Inhofe
OP,A	Combat Casualty Care Upgrade Program	$2,400,000	Barrett	Graham
OP,A	Combat Skills Marksmanship Trainer	$4,000,000	Kingston; Gingrey (GA)	Chambliss; Isakson
OP,A	Combined Arms Virtual Trainers for the New Mexico National Guard	$400,000	Luján	
OP,A	Combined Arms Virtual Trainers for the Tennessee National Guard	$5,000,000	Davis (TN); Wamp; Duncan	Alexander

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
OP,A	Communications Aerial Platforms for Increased Situational Awareness for the Minnesota National Guard	$1,888,000	Paulsen; Oberstar; Walz	Klobuchar
OP,A	Expandable Light Air Mobility Shelters (ELAMS) and Contingency Response Communications System (CRCS)—Illinois National Guard (ILNG)	$1,600,000		Levin; Stabenow
OP,A	FIDO Explosives Detector	$3,000,000	Fallin	Inhofe
OP,A	Fifth-Wheel Towing Devices for the Puerto Rico Army National Guard	$560,000	Pierluisi	
OP,A	Fort Bragg Range 74 Combined Arms Collective Training Facility	$800,000	Kissell	Hagan
OP,A	HMMWV Egress Assistance Trainer for the Tennessee National Guard	$160,000		Corker
OP,A	Immersive Group Simulation Virtual Training System for the Hawaii National Guard	$2,300,000	Abercrombie	Akaka
OP,A	Individual Gunnery; Tank Gunnery; and Tabletop Full-Fidelity Trainers for the New Mexico National Guard	$1,600,000	Luján	
OP,A	Kentucky National Guard Emergency Response Generator Stockpile	$4,800,000	Rogers (KY)	
OP,A	Laser Marksmanship Training System	$2,000,000	Kennedy	Reed
OP,A	Life Support for Trauma and Transport	$800,000	Sanchez, Loretta (CA); Reyes	
OP,A	Machine Gun Training System for the Pennsylvania National Guard	$2,400,000	Holden	
OP,A	Magneto Inductive Remote Activation Munitions System (MI–RAMS) M156/M39 Kits and M40 Receivers	$7,200,000	Lewis (CA)	
OP,A	Mine Resistant Ambush Protected Vehicle Virtual Trainers for the Illinois National Guard	$6,400,000	Hare	Durbin
OP,A	Mine Resistant Ambush Protected Vehicle Virtual Trainers for the Tennessee National Guard	$5,000,000	Davis (TN); Duncan; Tanner	Alexander; Corker
OP,A	Mobile Defensive Fighting Position	$1,600,000	Maffei	Schumer
OP,A	Mobile Firing Range for the Texas National Guard	$1,500,000	Conaway; Granger	
OP,A	Multi-Temperature Refrigerated Container System	$2,800,000	Davis (KY)	
OP,A	Muscatatuck Urban Training Center Instrumentation for the National Guard	$2,000,000	Ellsworth	Lugar
OP,A	Phoenix Quad-Band Satellite Receiver for the Delaware National Guard	$3,200,000		Carper; Kaufman
OP,A	Radio Personality Modules for SINCGARS Test Sets	$3,000,000	Tiahrt	Brownback
OP,A	Red River Army Depot Modernization	$1,600,000		Bond
OP,A	Regional Emergency Response Network Emergency Cell Phone Capability	$4,000,000	Hastings (FL); Stearns; Brown, Corrine (FL); Young (FL)	Nelson (FL)
OP,A	Reinforcement HMMWV Repair Hood Kits	$800,000		Merkley; Wyden
OP,A	Tactical Operations Center for the Washington National Guard	$1,840,000	Reichert, Baird, McDermott	Cantwell; Murray
OP,A	Tactical/Crew Served Weapon Illumination Systems	$2,400,000		Ensign; Reid
OP,A	Ultra Light Utility Vehicles for the National Guard	$4,480,000	Obey	Harkin; Klobuchar
OP,A	US Army Operator Driving Simulator for the Tennessee National Guard	$280,000		Corker; Levin
OP,A	Virtual Convoy Operations Trainer for the New Mexico National Guard	$1,200,000	Luján	
OP,A	Virtual Convoy Operations Trainers for the Illinois National Guard	$2,400,000	Hare	Durbin
OP,A	Virtual Interactive Combat Environment for the New Jersey National Guard	$3,500,000	Rothman	Lautenberg; Menendez
OP,A	Virtual Interactive Combat Environment Training System for the Virginia National Guard	$2,000,000	Connolly; Moran (VA)	Warner; Webb
OP,AF	Air National Guard Joint Threat Emitter—Savannah Combat Readiness Training Centers	$800,000	Lee (NY)	Schumer
OP,AF	Aircrew Body Armor and Load Carriage Vest System	$2,400,000	Akin	Bond
OP,AF	Eagle Vision for the Hawaii Air National Guard	$2,400,000		Inouye
OP,AF	Eagle Vision III	$4,800,000	Bilbray; Davis (CA)	
OP,AF	Eagle Vision Program	$1,500,000	Clyburn; Wilson (SC)	
OP,AF	Joint Pacific Alaska Range Complex (JPARC) Enhancements	$12,680,000		Murkowski

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
OP,AF	Joint Threat Emitters	$4,000,000	Kingston	
OP,AF	Mission Essential Airfield Operations Equipment	$916,000		Reid
OP,AF	Mission Essential Airfield Operations Equipment	$1,139,000		Reid
OP,AF	One AF/One Network Infrastructure	$1,600,000	Olson; Rothman	
OP,AF	One AF/One Network Infrastructure for the Pennsylvania National Guard	$1,600,000	Schwartz	
OP,AF	Unmanned Threat Emitters (UMTE) Modernization	$2,400,000		Reid
OP,N	Adaptive Diagnostic Electronic Portable Testset	$1,000,000	Young (FL)	Nelson (FL)
OP,N	Advanced Mission Extender Device Kits	$1,600,000		Leahy
OP,N	AN/BLQ–10A(V) Wideband Signal Processor	$3,000,000	Marshall	Chambliss
OP,N	AN/USQ–167 COMSEC Upgrade	$800,000	Filner	
OP,N	Canned Lube Pumps LHD–1 Class	$800,000	Kissell	Burr
OP,N	Deployable Joint Command and Control Shelter Upgrade Program	$2,400,000	Salazar	Bingaman; Udall (NM)
OP,N	Dive Boats	$2,000,000		Burr
OP,N	Enhanced Detection Adjunct Processor	$3,200,000	Kaptur	Brown
OP,N	Force Protection Boats (Small)	$2,000,000	Melancon	Landrieu; Vitter
OP,N	Fuel Oil Barge (YON)	$4,200,000	Brown (SC)	Graham
OP,N	Hawaiian Range Complex	$1,600,000		Inouye
OP,N	Hydroacoustic Low Frequency Source Generation Systems	$1,600,000	Massa; Lee (NY)	Schumer
OP,N	Intelligraf Training and Maintenance Aid for Above Water Sensors	$2,000,000		Murray
OP,N	LCS–1 Waterjet Spares	$3,200,000	Lynch	Kerry; Kirk
OP,N	LSD–41/49 Diesel Engine Low Load Upgrade Kit	$1,600,000	Baldwin	Kohl
OP,N	Multi-Climate Protection System	$6,400,000	Rogers (MI); Hodes, Shea-Porter; Tsongas	Gregg; Kerry; Kirk; Levin; Shaheen; Stabenow
OP,N	Navy AIT Logistics Modernization	$3,200,000	Kagen; Larsen (WA); Loebsack	Grassley; Harkin; Murray; Reed; Whitehouse
OP,N	Pearl Harbor Navy Shipyard Equipment Modernization	$4,200,000		Inouye
OP,N	Radar Product Support System	$2,400,000		Dodd
OP,N	RAM Mark 49 Mod 3 Launcher Oblescence/Affordability	$1,000,000		McConnell
OP,N	Remote Monitoring and Troubleshooting Project	$2,320,000	Aderholt	Sessions; Shelby
OP,N	Secure Remote Monitoring Systems	$1,600,000	Moran (VA)	
OP,N	Smart Valve Automatic Fire Suppression System	$2,480,000		Collins; Snowe
OP,N	SPAWAR Systems Center (SSC/ITC) New Orleans	$6,000,000	Cao; Scalise	Landrieu; Vitter
OP,N	TB–33 Thinline Towed Array	$4,000,000		Dodd; Lieberman; Reed; Whitehouse
P,DW	AN/PRC–148 MBITR/JTRS Enhanced MBITR	$4,000,000		Mikulski
P,DW	Chemical and Biological Protective Shelter	$5,000,000	Bartlett; Kratovil; Ruppersberger	Mikulski
P,DW	Expansion of the Forensic Intelligence Technologies and Training Support Center of Excellence	$1,600,000	Young (FL)	
P,DW	Fusion Goggle System	$2,400,000		Gregg
P,DW	Intelligence Broadcast Receiver for AFSOC MC–130	$800,000	Miller (FL)	
P,DW	Light Mobility Vehicle—Internally Transportable Vehicle	$1,600,000	Waters	
P,DW	M4 Weapons Shot Counter	$3,400,000		McConnell
P,DW	Mission Helmet Recording System	$5,200,000	Shea-Porter	Collins; Gregg; Snowe

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
P,DW	MK47 Mod 0 Advanced Lightweight Grenade Launcher	$6,000,000	Michaud; Pingree (ME)	Collins; Snowe
P,DW	Overt Small Laser Marker	$1,600,000		Gregg
P,DW	Reactive Skin Decontamination Lotion	$4,480,000		Cochran
P,DW	Small Arms Training Ranges	$2,000,000		Ensign; Reid
P,DW	SOPMOD II (M4 Carbine Rail System)	$2,000,000	Kingston	
P,DW	SOVAS-Hand Held Imager/Long Range	$4,000,000	Rehberg	Baucus; Kerry; Kirk; Tester
P,DW	Special Operations Craft—Riverine	$5,000,000		Cochran; Wicker
P,DW	Special Operations Forces Combat Assault Rifle	$2,000,000	Wilson (SC)	Graham
P,DW	Special Operations High Performance In-Line Sniper Scope	$2,400,000	Tsongas	Kerry; Kirk
P,DW	Special Operations Live Rehearsal System	$1,600,000		Nelson (FL)
P,MC	Marine Corps MK 1077 Flatracks	$2,400,000	Aderholt	
P,MC	Microclimate Cooling Unit for M1 Abrams Tank	$800,000	Lee (NY); Higgins	Schumer
P,MC	Nitrile Rubber Collapsible Fuel Bladders	$3,100,000		Cochran
P,MC	On Board Vehicle Power Kits for USMC MTVR Trucks	$9,000,000		Kohl
P,MC	Portable Armored Wall System	$1,000,000	Adler; Bishop (UT)	
P,MC	Portable Military Radio Communications Test Set	$1,200,000	Tiahrt	Roberts
PA,A	40mm Tactical All Types Mortar Round	$4,000,000		Alexander
PA,A	Ammunition Production Base Support (Scranton Army Ammunition Plant)	$2,800,000	Kanjorski; Carney	Casey; Specter
PA,A	Blue Grass Army Depot Equipment	$2,400,000	Chandler	
PA,A	Blue Grass Army Depot Supercritical Water Oxidation—Conventional Demil	$3,920,000	Rogers (KY)	Bunning
PA,A	CTG, Arty, 155mm, Illum	$7,200,000		Lincoln; Pryor
PA,A	CTG, Mortar, 120MM, Illum	$4,200,000	Ross	Lincoln; Pryor
PA,A	M721 60mm Illuminating Mortar	$1,600,000	Ross	Lincoln; Pryor
PA,A	M722 60mm White Phosphorus Smoke Mortar	$1,600,000	Ross	Lincoln; Pryor
PA,A	Small Caliber Ammunition Production Modernization	$4,000,000	Graves; Cleaver	
PA,AF	MCAAP Bomb Line Modernization	$2,400,000	Boren	Inhofe
PANMC	Enhanced Laser Guided Training Round	$3,600,000	Carney	
RDTE,A	Compact Airborne Mui-Mission Payload (CAMP)	$1,600,000		Bond
RDTE,A	101st Airborne/Air Assault Injury Prevention and Performance Enhancement Initiative	$3,000,000		Corker; Specter
RDTE,A	30–kW Auxiliary Power Unit for Armored Combat Vehicles	$1,600,000		Nelson (FL)
RDTE,A	3D Woven Preform Technology for Army Munitions Applications	$1,600,000	Kennedy	Reed; Whitehouse
RDTE,A	4th Generation Wireless Exploitation	$2,400,000	Hodes	Gregg
RDTE,A	5.56mm Aluminum Cartridge Case	$1,600,000		Crapo; Risch
RDTE,A	Academic Support and Research Compliance for Knowledge Gathering	$2,000,000		Roberts
RDTE,A	Accelerated Materials Development for Army Cannon Systems	$2,400,000	Herseth Sandlin	Johnson
RDTE,A	Achieving Lightweight Casting Solutions	$1,600,000	Schock	Burris
RDTE,A	Acid Alkaline Direct Methanol Fuel Cell	$1,600,000	McIntyre	Hagan
RDTE,A	Acoustic Gun Detection System for Tracked Combat Vehicles	$1,600,000	Capuano	Kerry; Kirk
RDTE,A	Adaptive Lightweight Materials Technology for Missile Defense	$3,200,000	Rehberg	Baucus; Tester
RDTE,A	Adaptive Robotics Technology for Space, Air, and Missiles (ART–SAM)	$3,360,000	Aderholt; Rogers (AL)	Sessions

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Advanced Affordable Turbine Engine Program	$4,000,000	Larson (CT); Courtney; DeLauro; Pastor (AZ)	Dodd; Lieberman
RDTE,A	Advanced Battery Development Program	$9,000,000		Levin
RDTE,A	Advanced Battery Materials and Manufacturing	$4,000,000	Halvorson, Biggert	
RDTE,A	Advanced Bio-Engineering for Enhancement of Soldier Survivability	$2,500,000	Johnson (GA); Bishop (GA); Gingrey (GA); Kingston; Lewis (GA); Scott (GA)	Chambliss; Isakson
RDTE,A	Advanced Bonded Diamond for Optical Applications	$2,000,000	Kingston	Chambliss
RDTE,A	Advanced Cancer Genome Institute	$2,000,000	Higgins; Lee (NY); Slaughter	Schumer
RDTE,A	Advanced Carbon Hybrid Battery for Hybrid Electric Vehicles	$800,000	Bishop (GA)	Chambliss
RDTE,A	Advanced Cavitation Power Technology	$3,840,000		Cochran
RDTE,A	Advanced Commercial Technology Insertion	$3,100,000		Sessions; Shelby
RDTE,A	Advanced Communications for Mobile Networks	$3,200,000	Mollohan	
RDTE,A	Advanced Composite Ammunition Magazine/Mount System	$1,600,000	Obey	
RDTE,A	Advanced Composite Armor for Force Protection	$1,600,000	Coble	
RDTE,A	Advanced Composite Materials Research for Land, Marine, and Air Vehicles	$2,800,000	Rogers (MI)	Levin; Stabenow
RDTE,A	Advanced Composite Research for Vehicles	$4,000,000	Kilpatrick	Levin
RDTE,A	Advanced Composites for Light Weight, Low Cost Transportation Systems using a 3+ Ring Extruder	$2,400,000	Stupak	Levin
RDTE,A	Advanced Conductivity Program	$1,000,000	Young (FL)	
RDTE,A	Advanced Corrosion Protection for Military Vehicles and Equipment	$2,400,000		Kohl
RDTE,A	Advanced Demining Technology	$4,720,000		Leahy
RDTE,A	Advanced Detection of Explosives	$1,600,000	Young (FL)	
RDTE,A	Advanced Diagnostic and Therapeutic Digital Technologies	$1,600,000	Capuano; Cummings; Watson	Kerry
RDTE,A	Advanced Digital Hydraulic Drive System	$2,000,000	Upton	Grassley; Klobuchar; Levin; Stabenow
RDTE,A	Advanced Electronics Rosebud Integration	$3,000,000	Herseth Sandlin	Johnson; Thune
RDTE,A	Advanced Environmental Control Systems	$1,600,000		Reid
RDTE,A	Advanced Field Artillery Tactical Data System	$3,600,000	Souder	
RDTE,A	Advanced Flexible Solar Photovoltaic Technologies	$2,400,000	Obey	
RDTE,A	Advanced Fuel Cell Research Program	$3,200,000	Poe	Cornyn; Hutchison
RDTE,A	Advanced Functional Nanomaterials for Biological Processes	$2,400,000	Snyder	Lincoln, Pryor
RDTE,A	Advanced Ground EW and Signals Intelligence System	$2,000,000	Larsen (WA); Smith (WA)	Murray
RDTE,A	Advanced Hybrid Chemistry for Portable Power	$2,560,000		Brownback; Roberts
RDTE,A	Advanced Lightweight Gunner Protection Kit for Lightweight MRAP Vehicle	$800,000	Altmire	
RDTE,A	Advanced Lightweight Multifunctional Multi-Threat Composite Armor Material Technology	$2,400,000	Rangel	Schumer
RDTE,A	Advanced Lithium Ion Phosphate Battery System for Army Combat Hybrid HMMWV and Other Army Vehicle Platforms	$2,400,000	Dingell	Levin; Stabenow
RDTE,A	Advanced Live, Virtual, and Constructive Training Systems	$2,800,000	Latham	Grassley; Harkin
RDTE,A	Advanced Lower Limb Prostheses for Battlefield Amputees	$3,200,000	Markey (MA); McGovern	Kerry; Kirk
RDTE,A	Advanced Materials and Process for Armament Structures (AMPAS)	$3,200,000	Sutton	Brown
RDTE,A	Advanced Military Wound Healing Research and Treatment	$800,000	Lee (NY)	Schumer
RDTE,A	Advanced Nanocomposite Materials for Lightweight Integrated Armor Systems	$1,600,000	Ryan (OH)	
RDTE,A	Advanced Packaging Materials for Combat Rations	$800,000	Gingrey (GA)	Chambliss; Isakson

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Advanced Polymer Systems for Defense Application—Power Generation, Protection and Sensing	$2,400,000	Emerson	
RDTE,A	Advanced Power Generation Unit for Military Applications	$650,000	Roskam	
RDTE,A	Advanced Power Source for Future Soldiers	$1,200,000	Carson	Lugar
RDTE,A	Advanced Power Technologies for Nano-Satellites	$1,600,000	Rogers (KY)	
RDTE,A	Advanced Radar Transceiver Integrated Circuit Development	$800,000	Harman	
RDTE,A	Advanced Rarefaction Weapon Engineered System	$3,200,000	Kaptur	
RDTE,A	Advanced Reactive Armor Systems	$1,600,000	Hinchey	Schumer
RDTE,A	Advanced Regenerative Medicine Therapies for Combat Injuries	$3,200,000	Doyle	Casey; Specter
RDTE,A	Advanced Robot and Sensor Technology for Surveillance and Energy Efficiency Applications	$1,200,000	Herseth Sandlin	Johnson
RDTE,A	Advanced Soldier-Portable Power Systems Technologies	$2,480,000	Childers	Cochran; Wicker
RDTE,A	Advanced Suspension System for Heavy Vehicles	$2,160,000		Reid
RDTE,A	Advanced Tactical Fuels for the US Military	$3,200,000	Pomeroy	Conrad; Dorgan
RDTE,A	Advanced Tactical Laser Flashlight	$800,000	Kilpatrick	Levin; Stabenow
RDTE,A	Advanced Technology for Energy Storage	$1,600,000	Visclosky	
RDTE,A	Advanced Technology, Energy Manufacturing Sciences	$7,000,000	Frelinghuysen	
RDTE,A	Advanced Thermal Management System	$2,400,000	Stupak	Levin; Stabenow
RDTE,A	Advanced UV Light Diode Development	$800,000		Graham
RDTE,A	Advanced Wearable Power System Manufacturing	$1,600,000		Tester
RDTE,A	Advanced Composite Nickel-Manganese-Cobalt and other Lithium Ion Battery Technologies using Nano Crystal Scission Process	$2,400,000	Hinchey	Schumer
RDTE,A	Advancement of Bloodless Medicine	$1,492,800	Rothman	Lautenberg; Menendez
RDTE,A	Affordable Light-Weight Metal Matrix Composite (MMC) Armor	$2,500,000		Ensign; Reid
RDTE,A	Aging and Battle Damaged Weapon Systems Repair	$1,200,000	Herseth Sandlin	Johnson; Thune
RDTE,A	Air Drop Mortar Guided Munition for the Tactical UAV	$2,400,000	Hastings (WA)	
RDTE,A	Alginate Oligomers to Treat Infectious Microbial Biofilms	$1,600,000	Kilroy	
RDTE,A	All Composite Bus Program	$2,000,000	Kennedy	
RDTE,A	All Composite Lightweight Military Vehicle	$1,600,000		Reed
RDTE,A	Alliance for Nanohealth	$4,000,000	Culberson	
RDTE,A	ALS Therapy Development Institute—Gulf War Illness Research Project	$1,600,000	Capuano; Brown (SC)	Kerry
RDTE,A	Alternative Power Technology for Missile Defense	$3,200,000	Herseth Sandlin	Johnson; Thune
RDTE,A	Aluminum Armor Project	$840,000	Capito	
RDTE,A	Amorphous Si Flexible Photovoltaics for Grid Parity	$1,600,000		Levin
RDTE,A	AN/ALQ 211 Networked EW Controller	$800,000	Pascrell	Lautenberg; Menendez
RDTE,A	Antennas for Unmanned Aerial Vehicles	$1,000,000	Bonner	
RDTE,A	Antiballistic Windshield Armor	$2,400,000		Lugar
RDTE,A	Anti-Microbial Bone Graft Product	$1,600,000	Crenshaw; Stearns	Nelson (FL)
RDTE,A	Antioxidant Micronutrient Therapeutic Countermeasures	$800,000	McCarthy (NY)	
RDTE,A	Anti-Tamper Research and Development	$3,040,000	Alexander	Landrieu; Vitter
RDTE,A	Applied Communication and Information Networking	$3,040,000	Andrews; LoBiondo	Lautenberg; Menendez
RDTE,A	ARL 3D Model-Based Inspection and Scanning	$2,400,000	Ryan (OH)	
RDTE,A	ARL-ONAMI Center for Nanoarchitectures for Enhanced Performance	$800,000		Merkley; Wyden

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Armament System Engineering and Integration Initiative	$1,600,000	Frelinghuysen; Sires	
RDTE,A	Armaments Academy	$3,000,000	Frelinghuysen	
RDTE,A	Army Asset Visibility Enhancement	$800,000	Berkley	Reid
RDTE,A	Army Center of Excellence in Acoustics, National Center for Physical Acoustics	$4,000,000	Childers	Cochran; Wicker
RDTE,A	Army Material Degradation	$640,000		Conrad; Dorgan
RDTE,A	Army Portable Oxygen Concentration System	$1,200,000	Moran (VA)	
RDTE,A	Army Range Technology Program (ARTP)	$4,880,000		Cochran
RDTE,A	Army Responsive Tactical Space System Exerciser	$3,000,000	Aderholt	Sessions; Shelby
RDTE,A	Army Vehicle Condition Based Maintenance	$4,000,000	Murtha	
RDTE,A	Army/Joint STARS Surveillance and Control Data Link Technology Refresh	$800,000	Davis (CA)	
RDTE,A	Asymmetric Threat Response and Analysis Project	$2,000,000	Giffords	
RDTE,A	Atomized Magnesium Domestic Production Design and Development	$1,600,000	Kaptur	
RDTE,A	Automated Communications Support Systems for WARFIGHTERS, Intelligence Community, Linguists, and Analysts	$1,500,000		Chambliss; Isakson
RDTE,A	Automated Portable Field System for Rapid Detection and Diagnosis of Endemic Diseases and Other Pathogens	$1,600,000	Massa	Schumer
RDTE,A	Automotive Technology Tactical Metal Fabrication System	$2,500,000	Clyburn; Brown (SC)	
RDTE,A	Automotive Tribology Center	$1,600,000	Peters	Levin; Stabenow
RDTE,A	Autonomous Cargo Acquisition for Rotorcraft Unmanned Aerial Vehicles	$1,280,000	Aderholt	Shelby
RDTE,A	Autonomous Sustainment Cargo Container	$1,200,000	Bartlett	
RDTE,A	Ballistic Armor Research	$3,200,000	Dent	Specter
RDTE,A	Battlefield Exercise and Combat Related Spinal Cord Injury Research	$2,400,000	Brown-Waite, Ginny (FL)	
RDTE,A	Battlefield Nursing	$1,600,000	Cohen	
RDTE,A	Battlefield Related Injury Translational Research Strategies	$1,800,000	Castor (FL)	
RDTE,A	Battlefield Research Accelerating Virtual Environments for Military Individual Neuro Disorders (BRAVEMIND)	$1,000,000	Harman	Boxer
RDTE,A	Beneficial Infrastructure for Rotorcraft Risk Reduction	$800,000	Sestak	
RDTE,A	Bio Battery	$800,000	Griffith	
RDTE,A	Bioactive Polymers and Coating Systems for Protection Against Bio-Threats	$3,600,000	Pomeroy	Conrad; Dorgan
RDTE,A	Biological Air Filtering System Technology	$3,000,000	Berry	Lincoln; Pryor
RDTE,A	Biometrics DNA Applications	$1,500,000		Byrd
RDTE,A	Bio-Printing of Skin for Battlefield Burn Repairs	$2,000,000	Johnson, Sam (TX)	Cornyn
RDTE,A	Biosecurity Research for Soldier Food Safety	$1,600,000		Roberts
RDTE,A	Biosensor, Communicator and Controller System	$3,500,000		Reid
RDTE,A	Bio-Surveillance in a Highly Mobile Population	$1,600,000		Reid
RDTE,A	Biowaste-to-Bioenergy Center	$2,000,000	Murphy (NY); Tonko	Gillibrand; Schumer
RDTE,A	Blood and Bone Marrow Collection Fellowship	$2,000,000	Bishop (GA)	
RDTE,A	Blood Safety and Decontamination Technology	$2,400,000	Gerlach; DeLauro; Fattah; Markey (MA); McDermott; Tonko	Chambliss; Feinstein; Schumer; Specter
RDTE,A	Blood, Medical and Food Safety via Eco-Friendly Wireless Sensing (Phase II)	$1,600,000		Klobuchar
RDTE,A	Bradley Third Generation FLIR	$4,500,000		Nelson (FL)
RDTE,A	Brain Interventional Surgical Hybrid Initiative	$2,400,000	Wasserman Schultz	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Brain Safety Net	$2,400,000	Walden; Blumenauer; DeFazio; Wu	Merkley; Wyden
RDTE,A	Breast Cancer Medical Information Network Decision Support	$800,000	Berman	
RDTE,A	Brownout Situational Awareness Sensor	$2,400,000	Hunter; Olver	
RDTE,A	Building a Unified Information Framework	$1,600,000	Andrews	Lautenberg; Menendez
RDTE,A	Burn and Shock Trauma Institute	$1,600,000		Durbin
RDTE,A	Buster/Blacklight UAV Development	$800,000	Gonzalez; Ortiz; Rodriguez	
RDTE,A	Cadmium Emissions Reduction—Letterkenny Army Depot	$1,000,000	Shuster	
RDTE,A	Cancer Prevention through Remote Biological Sensing	$1,600,000	Bishop (NY)	Schumer
RDTE,A	Capabilities Expansion of Spinel Transparent Armor Manufacturing	$1,600,000	Perlmutter	
RDTE,A	Captive Carry Sensor Test-Bed	$2,400,000	Davis (AL); Bachus	
RDTE,A	Carbide Derived Carbon for Treatment of Combat Related Sepsis	$800,000	Sestak	Specter
RDTE,A	Carbon Nanotube Production	$1,600,000		Hutchison
RDTE,A	Cellular Therapy for Battlefield Wounds	$2,800,000	Fudge	
RDTE,A	Cellulose Nanocomposites Panels for Ballistic Protection	$1,600,000	Michaud; Pingree (ME)	Collins; Snowe
RDTE,A	Center for Advanced Emergency Response	$4,000,000		Durbin
RDTE,A	Center for Bone Repair and Military Readiness	$1,200,000	Cleaver	
RDTE,A	Center for Borane Technology	$2,000,000		Bond
RDTE,A	Center for Cancer Immunology Research	$1,600,000	Culberson	
RDTE,A	Center for Defense Systems Research	$800,000	Reyes	
RDTE,A	Center for Engineered Biomedical Device	$288,000	Herseth Sandlin	Johnson; Thune
RDTE,A	Center for Genetic Origins of Cancer	$2,000,000	Dingell; Upton	Levin; Stabenow
RDTE,A	Center for Hetero-Functional Materials	$800,000	Doggett; Conaway; Rodriguez	
RDTE,A	Center for Injury Biomechanics	$4,000,000	Boucher	Warner; Webb
RDTE,A	Center for Integration of Medicine and Innovative Technology	$9,000,000	Capuano; Lynch	Kerry; Kirk
RDTE,A	Center for Nanoscale Bio-Sensors as a Defense against Biological Threats	$3,000,000	Boozman	Lincoln; Pryor
RDTE,A	Center for Ophthalmic Innovation	$2,400,000	Diaz-Balart, Mario (FL); Ros-Lehtinen	Nelson (FL)
RDTE,A	Center for Respiratory Biodefense	$2,400,000		Bennet
RDTE,A	Center for Virtual Reality Medical Simulation Training	$1,200,000	Bachus; Davis (AL)	
RDTE,A	Center of Excellence in Infectious Diseases and Human Microbiome	$2,400,000	Maloney; King (NY)	Schumer
RDTE,A	Ceramic and Metal Matrix Composites Armor Development using Ring Extruder Technology	$800,000	Stupak	Levin
RDTE,A	Ceramic Membrane—10(X) Times More Energy for Battery Systems	$2,400,000	Schwartz	Casey; Specter
RDTE,A	CERDEC Integrated Tool Control System	$1,600,000	Pallone	
RDTE,A	Chemical Materials and Environmental Modeling Project	$2,000,000		Cochran; Wicker
RDTE,A	Chronic Tinnitus Treatment Program	$800,000	Dent	
RDTE,A	Cleveland Clinic Rehabilitation Research	$800,000		Voinovich
RDTE,A	Clinical Development of a Norovirus Gastroenteritis Vaccine	$3,600,000		Baucus
RDTE,A	Clinical Technology Integration for Military Health	$1,600,000	Markey (MA)	Kerry
RDTE,A	Clinical Trial to Investigate Efficacy of Human Skin Substitute	$800,000	Baldwin	
RDTE,A	Cluster Bomb Unit and Combined Effects Munitions Demilitarization	$800,000	Brady (PA)	Reid
RDTE,A	Cogeneration for Enhanced Cooling and Heating of Advanced Tactical Vehicles	$3,200,000		Kohl

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Cognitive Based Modeling and Simulation for Tactical Decision Support	$1,600,000	Bishop (GA)	
RDTE,A	Collaboration Skills Training for Time-Critical Teams, Squads and Workgroups	$1,600,000	Davis (IL)	
RDTE,A	Collagen-Based Wound Dressing	$800,000	Altmire	
RDTE,A	Combat Medic Trainer	$2,000,000	Schwartz; Hunter	Casey; Specter
RDTE,A	Combat Mental Health Initiative	$1,600,000	Kaptur	
RDTE,A	Combat Vehicle Electrical Power-21st Century (CVEP–21)	$3,120,000		Lugar
RDTE,A	Combat Wound Initiative	$2,400,000	Kennedy	
RDTE,A	Command, Control, Communications Technology	$1,600,000	Pascrell	
RDTE,A	Compact 10 Kilowatt Generator Set for Army and Marine Combat Vehicles	$1,600,000		Nelson (FL)
RDTE,A	Compact Biothreat Rapid Analysis Concept	$4,800,000	Capuano	Kerry; Kirk
RDTE,A	Compact Pulsed Power Initiative	$3,200,000	Conaway	Hutchison
RDTE,A	Complimentary and Alternative Medicine Research for Military Operations and Healthcare (MIL–CAM)	$5,200,000		Harkin
RDTE,A	Composite Applied Research and Technology for FCS and Tactical Vehicle Survivability	$3,200,000	Castle	Carper; Kaufman
RDTE,A	Composite Bottles for Survival Egress Air	$4,000,000		Crapo; Risch
RDTE,A	Composite Small Main Rotor Blades	$3,000,000	Tiahrt	Brownback; Dodd; Roberts
RDTE,A	Compostable and Recyclable Fiberboard Material for Secondary Packaging	$2,000,000	Obey	
RDTE,A	Construct Training Program	$1,600,000	Gutierrez; Jackson (IL)	Durbin
RDTE,A	Continuous Threat Alert Sensing System (CTASS)	$1,360,000		Reid
RDTE,A	Control of Vector-Borne Diseases	$2,400,000	Visclosky	
RDTE,A	Conversion of Municipal Solid Waste to Renewable Diesel Fuel	$2,520,000	Rothman; Lance; Sires	Kerry; Specter
RDTE,A	Cooperative Developmental Energy Program	$1,600,000	Bishop (GA)	
RDTE,A	Cooperative International Neuromuscular Research Group (CINRG)	$3,280,000	Aderholt	Cochran; Wicker
RDTE,A	Countermeasures to Hemorrhaging (Liquid Bandage and Tissue Regeneration)	$5,760,000		Nelson (NE)
RDTE,A	Crewmember Alert Display Development Program	$1,600,000	Kingston	
RDTE,A	Cryofracture / Plasma Arc Demilitarization Program	$6,400,000	Rehberg	Baucus; Tester
RDTE,A	Current Force Common Active Protection System Radar	$1,600,000	Johnson, Sam (TX); Hall (TX); Johnson, Eddie Bernice (TX)	
RDTE,A	Customized Nursing Programs for Fort Benning	$1,600,000	Bishop (GA)	Chambliss; Isakson
RDTE,A	Cyber Threat Analytics	$2,400,000	Lewis (CA)	
RDTE,A	Cybersecurity in Tactical Environments	$800,000	Castle	Carper; Kaufman
RDTE,A	Defense Advanced Transportation Technology Program Hybrid Truck Users Forum	$4,800,000		Boxer
RDTE,A	Defense Metals Technology Center	$2,000,000	Boccieri; Ryan (OH)	Brown
RDTE,A	Defense Support for Civil Authorities for Key Resource Protection	$800,000	Shuster	
RDTE,A	Defense Support to Civil Authorities Automated Support System	$1,600,000	Moran (VA)	
RDTE,A	Define Renewable Energy Sources for Base Energy Independence	$1,600,000	Teague	Bingaman; Udall (NM)
RDTE,A	Demonstration of Thin Film Solar Modules as a Renewable Energy Source	$800,000	Reyes	
RDTE,A	Dermal Matrix Research	$2,000,000	Lance	Lautenberg; Menendez
RDTE,A	Development of Drugs for Malaria and Leishmaniasis	$3,120,000	Childers	Cochran
RDTE,A	Development of Enabling Chemical Technologies for Power from Green Sources	$1,200,000	Olver	
RDTE,A	Development of Improved Lighter-Weight IED / EFP Armor Solutions	$1,600,000	Tiahrt	Roberts
RDTE,A	Development, Optimization, and Transfer of a Reliable Testing Technology for Materials Designed to Protect Warfighters Against Toxic Chemical Warfare Agents	$480,000	Herseth Sandlin	Johnson; Thune

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Developmental Mission Integration	$5,600,000	Frelinghuysen	
RDTE,A	De-Weighting Military Vehicles through Advanced Composites Manufacturing Technology	$2,960,000	Davis (KY)	Bunning
RDTE,A	Diabetes Care in the Military	$1,600,000	Kilpatrick	Levin
RDTE,A	Diamond Lens Elements for High Powered Laser	$800,000	McGovern	Kerry; Kirk
RDTE,A	Direct Carbon Fuel Cell	$2,800,000	Capito	
RDTE,A	Discriminatory Imaging and Network Advancement for Missiles, Aviation and Space	$2,500,000		McConnell
RDTE,A	Distributed Power from Wastewater	$2,000,000	Wilson (OH); Space	Voinovich
RDTE,A	Distributed, Networked, Unmanned Ground Systems	$3,200,000	Matheson	Bennett; Hatch
RDTE,A	DoD Diabetes Research and Development Initiative (DRDI)	$2,560,000	Dicks	
RDTE,A	Domestic Production of Nanodiamond for Military Applications	$1,600,000	Thompson (PA)	Casey; Specter
RDTE,A	Drive System Composite Structural Component Risk Reduction Program	$2,400,000	Brady (PA)	Casey; Specter
RDTE,A	Dual Stage Variable Energy Absorber	$2,400,000	Murphy, Patrick (PA)	
RDTE,A	Dugway Field Test Improvements	$3,600,000	Bishop (UT)	Bennett; Hatch
RDTE,A	Effects Based Operations Decision Support Services	$1,600,000	Moran (VA)	
RDTE,A	Electric All Terrain Ultra Light Vehicle for the Minnesota National Guard	$1,600,000	Oberstar	
RDTE,A	Electrically Charged Mesh Defense Net Troop Protection System	$6,000,000	Aderholt	Sessions
RDTE,A	Electronic Combat and Counter Terrorism Threat Developments to Support Joint Forces	$3,000,000	Kingston	
RDTE,A	Electronic Commodity Project	$800,000		Byrd
RDTE,A	Electronic Keel	$1,600,000		Casey; Specter
RDTE,A	Enabling Optimization of Reactive Armor	$3,000,000	Whitfield; Rogers (KY)	Bunning; Dodd; Lieberman; McConnell
RDTE,A	Enhanced Driver Situational Awareness	$800,000	Kennedy	
RDTE,A	Enhanced Military Vehicle Maintenance System Demonstration Project	$2,800,000	Rogers (AL)	Sessions; Shelby
RDTE,A	Enhanced-Rapid Tactical Integration for Fielding of Systems Initiative	$3,120,000	Aderholt; Rogers (AL)	Sessions; Shelby
RDTE,A	Enhancing Military Ophthalmic Education and Overcoming Urban Healthcare Disparities with Telemedicine	$2,400,000	Brady (PA)	
RDTE,A	Enhancing the Commercial Joint Mapping Toolkit to Support Tactical Military Operations	$3,200,000	Lewis (CA)	
RDTE,A	Enhancing Wound Healing, Tissue Regeneration, and Biomarker Discovery	$2,000,000	Berkley; Titus	Ensign; Reid
RDTE,A	Environmentally Intelligent Moisture and Corrosion Control for Concrete	$1,680,000	Rothman	Lautenberg; Menendez
RDTE,A	Epigenetic Disease Research	$1,600,000	McMorris Rodgers	Cantwell; Murray
RDTE,A	Evaluation of Integrative Approaches to Resilience	$1,600,000	Moran (VA)	
RDTE,A	Exceptional Family Transitional Training Program for US Military Soldiers, Sailors, Marines and Airmen	$640,000	Murtha	
RDTE,A	Execution of a Quality Systems Program for FDA Regulation Activities	$1,200,000	Bishop (GA)	
RDTE,A	Expansion and Development of Bionic Limbs for U.S. Military Personnel	$2,000,000	Davis (IL)	Durbin
RDTE,A	Expeditionary Water Reclamation Process using Supercritical Water Oxidation	$2,800,000		Bond
RDTE,A	Exploding Foil Initiators (EFI) with Nanomaterial-Based Circuits	$2,400,000	Herseth Sandlin	Johnson
RDTE,A	Extended Duration Silver Wound Dressing—Phase II	$800,000	Shuler	Hagan
RDTE,A	Eye Safe Laser Range Finder	$2,400,000	Baldwin	Kohl
RDTE,A	Eye Trauma and Visual Restoration	$800,000	Schiff	
RDTE,A	Eye-Safe Standoff Fusion Detection of CBE Threats	$2,000,000	Doyle	Specter
RDTE,A	Fibrin Adhesive Stat (FAST) Dressing	$2,400,000		Cardin
RDTE,A	Field Deployable Fleet Hydrogen Fueling	$2,400,000		Dodd; Lieberman

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Field Deployable Hologram Production System	$3,840,000	Granger; Conaway	
RDTE,A	Fighting Combat-Related Fatigue Syndrome	$800,000	Kosmas; Brown, Corrine (FL)	Nelson (FL)
RDTE,A	Fire Shield	$3,200,000	Dreier	
RDTE,A	Fire Suppression System	$1,140,000	Sullivan	
RDTE,A	Flexible Solar Cell for Man-portable Power Generator	$800,000	Jackson (IL); Rush	
RDTE,A	Florida Trauma Rehabilitation Institute for Returning Military Personnel	$2,400,000	Bilirakis	
RDTE,A	Flu Vaccine Technology Program	$1,200,000	Rahall	
RDTE,A	Foil Bearing Supported UAV Engine	$800,000	Larson (CT)	
RDTE,A	Foliage Penetrating, Reconnaissance, Surveillance, Tracking, and Engagement Radar (FORESTER) Phase II	$1,600,000	Maffei; McHugh	Schumer
RDTE,A	Force Protection Radar for Forward Operating Bases	$1,600,000		Murray
RDTE,A	Framework for Electronic Health Record-Linked Predictive Models	$2,400,000	Murtha	
RDTE,A	Friction Stir Welding Program	$2,400,000	Jordan; Kaptur	
RDTE,A	Fuel System Component Technology Research	$1,600,000	Manzullo	
RDTE,A	Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model	$2,800,000	Kaptur	
RDTE,A	Fused Silica for Large-Format Transparent Armor	$3,200,000	Space	
RDTE,A	Future Tactical Truck Carbon Composite Shelter and Retrofit of Current Vehicle Shelters	$1,600,000		Begich
RDTE,A	Gas Engine Driven Air Conditioning	$2,400,000	Pastor (AZ); Berkley; Franks (AZ)	Reid
RDTE,A	Geosciences / Atmospheric Research	$3,000,000	Markey (CO); Salazar	Bennet; Udall (CO)
RDTE,A	Geospatial Airship Research Platform	$3,200,000	Kaptur	
RDTE,A	Green Armament and RangeSafe Technology Initiatives	$1,600,000	Frelinghuysen; Sires	Menendez
RDTE,A	Ground-forces Readiness Enabler for Advanced Tactical Vehicles (GREAT–V)	$800,000		Hutchison
RDTE,A	Hadron Particle Therapy	$1,600,000	Foster	Durbin
RDTE,A	HapMed Combat Medic Trainer	$800,000		Nelson (FL)
RDTE,A	Headborne Energy Analysis and Diagnostic System	$1,600,000	Carney	
RDTE,A	Health Disparities in Troop Readiness	$8,000,000	Clyburn	
RDTE,A	Health Sciences Regenerative Medicine Center—Autologous Tissues Research	$3,200,000		Burr; Hagan
RDTE,A	Heavy Fuel Engine Family for Unmanned Systems	$3,200,000	Hoekstra	Levin; Stabenow
RDTE,A	Heuristic Internet Protocol Packet Inspection Engine (HIPPIE)	$1,040,000	Akin	Bond
RDTE,A	High Energy Laser System Test Facility—HELSTF / HELTD	$4,500,000		Bingaman; Udall (NM)
RDTE,A	High Frequency Devices and Circuits for Nanotubes and Nanowires	$1,440,000	Boozman	Lincoln; Pryor
RDTE,A	High Performance Alloy Materials and Advanced Manufacturing of Steel Castings for New Light Weight and Robotic Weapon Systems	$2,400,000	Emerson	
RDTE,A	High Performance Computing in Biomedical Engineering and Health Sciences	$1,200,000	Watt	
RDTE,A	High Pressure Pasteurization and Pressure Assisted Thermal Sterilization Project	$3,440,000	Ellsworth	Lugar
RDTE,A	High Speed Digital Imaging	$2,400,000		Gregg
RDTE,A	High Strength Glass Production and Qualification for Armor Applications	$1,600,000	Tonko	Schumer
RDTE,A	High Temp Polymers for Missile System Applications	$3,920,000		Cochran; Wicker
RDTE,A	High-Frequency, High-Power Electronic and Optoelectronic Devices on Aluminum Nitride (AIN)	$3,200,000	Price (NC)	Burr
RDTE,A	Highlander Electro-Optical Sensors	$1,600,000	Moran (VA)	
RDTE,A	Highly Functional Neurally Controlled Skeletally Attached and Intelligent Prosthetic Devises	$3,040,000		Bennett

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Highly Integrated Lethality Systems Development	$4,000,000	Frelinghuysen	
RDTE,A	Highly Integrated Production for Expediting Reset	$2,000,000	Brown (SC); Altmire; Rogers (AL); Wilson (SC)	Casey; Sessions; Stabenow
RDTE,A	High-Volume Manufacturing Development for Thin-film Lithium Stack Battery Technologies	$800,000	Honda; Carter	
RDTE,A	HiSentinel Stratospheric Airship	$2,400,000	Herseth Sandlin	Johnson
RDTE,A	Hi-Tech Eyes for the Battlefield	$1,600,000		Hutchison
RDTE,A	HIV Prevention and Reducing Risk to US Military Personnel	$3,000,000	Pelosi	
RDTE,A	Hostile Fire Indicator	$1,600,000	Hodes	Gregg; Shaheen
RDTE,A	Human Genomics, Molecular Epidemiology, and Clinical Diagnostics for Infectious Diseases	$1,200,000	Pastor (AZ)	
RDTE,A	Human Organ and Tissue Preservation Technology	$1,600,000	Wilson (SC)	
RDTE,A	Hybrid Electric Drive All Terrain Vehicle	$1,600,000	Peters	Levin
RDTE,A	Hybrid Electric Heavy Truck Vehicle	$1,600,000	Bartlett	Cardin
RDTE,A	Hybrid Energy Systems Design and Testing	$2,000,000	Simpson	Crapo; Risch
RDTE,A	Hybrid Engine Development Program	$3,200,000		Levin
RDTE,A	Hydraulic Hybrid Vehicles for the Tactical Wheeled Fleet	$2,800,000	Peters	Levin; Lugar; Stabenow
RDTE,A	Hyper Spectral Sensor for Improved Force Protection	$1,600,000	Akin	
RDTE,A	Identification of New Drug Targets in Multi-Drug Resistant Bacterial Infections	$2,000,000	Slaughter, Lee (NY)	Gillibrand; Schumer
RDTE,A	Identification of Pain Mechanisms and Therapeutic Targets	$800,000		Durbin
RDTE,A	Imaging and Cognitive Evaluation of Soldiers	$640,000	Kilpatrick	Levin; Stabenow
RDTE,A	Improved HELLHOUND 40mm Low Velocity High Explosive Ammunition	$600,000	Boyd	Nelson (FL)
RDTE,A	Improved Manufacturing Processes Demonstration Program for Army Tactical Vehicles	$1,600,000		Bond
RDTE,A	Improved Thermal Batteries for Guided Munitions	$2,400,000	Schwartz	Specter
RDTE,A	Improved Thermal Resistant Nylon for Enhanced Durability and Thermal Protection in Combat Uniforms	$3,200,000	Castle; Barrett	Carper; Graham; Kaufman
RDTE,A	Improving Soldier Recovery from Catastrophic Bone Injuries	$3,200,000	Murphy (CT)	Lieberman
RDTE,A	Infection Prevention Program for Battlefield Wounds	$1,600,000	McGovern	Kerry
RDTE,A	Infectious and Airborne Pathogen Reduction	$2,240,000	Whitfield; Arcuri; Childers; Higgins	Schumer
RDTE,A	In-Field Body Temperature Conditioner	$2,400,000		Reid
RDTE,A	Injection Molded Ceramic Body Armor	$800,000	Olver	
RDTE,A	Ink-based Desktop Electronic Material Technology	$1,600,000	Frelinghuysen	
RDTE,A	Institute for Simulation and Interprofessional Studies	$4,640,000	Dicks; McDermott; McMorris Rodgers; Smith (WA)	Cantwell; Murray
RDTE,A	Integrated Alternative Power Systems	$2,080,000		Kohl
RDTE,A	Integrated Defense Technical Information	$1,600,000	Rogers (KY)	
RDTE,A	Integrated Family of Test Equipment V6 Product Improvement Program	$2,400,000	Kingston	Chambliss
RDTE,A	Integrated Flexible Electronics	$1,600,000		Specter
RDTE,A	Integrated Information Technology Policy Analysis Research and Technology Commercialization and Management Network	$3,200,000	Lewis (CA)	
RDTE,A	Integrated Lightweight Tracker System	$2,000,000	Obey	
RDTE,A	Integrated Patient Electronic Record System	$1,600,000	Lee (CA)	
RDTE,A	Intelligence, Surveillance and Reconnaissance (ISR) Simulation Integration Laboratory	$1,600,000	Smith (NJ)	
RDTE,A	Intelligent Energy Control Systems	$2,400,000	Granger	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Intelligent Network-Centric Sensor Development Program	$1,200,000	Cohen	
RDTE,A	Intelligent Orthopedic Fracture Implant Program	$800,000	Kildee	Levin; Stabenow
RDTE,A	Intensive Quenching for Advanced Weapon Systems	$1,200,000	Sutton; Ryan (OH); Tonko	Schumer; Stabenow
RDTE,A	Inter Turbine Burner for Turbo Shaft Engines	$2,400,000	Lewis (CA)	
RDTE,A	Internal Base Facility Energy Independence	$2,560,000	Kaptur	
RDTE,A	In-Theater Evaluation of Ballistic Protection	$800,000	Michaud; Pingree (ME)	Collins; Snowe
RDTE,A	IR-Vascular Facial Fingerprinting	$2,400,000	Moran (VA)	
RDTE,A	IUID Data Platform	$2,000,000	Kennedy	Reed
RDTE,A	Jackson Health System Military Trauma Training Enhancement Initiative	$2,000,000	Meek (FL); Wasserman Schultz	Nelson (FL)
RDTE,A	JAMMA Family of Vehicles	$800,000		Bennett
RDTE,A	Javelin Warhead Improvement Program	$4,000,000	Bright; Brown, Corrine (FL)	Nelson (FL); Sessions; Shelby
RDTE,A	Joint Fires and Effects Trainer System Enhancements	$2,000,000	Cole; Fallin	Inhofe
RDTE,A	Joint Medical Simulation Technology Center	$1,280,000	Kosmas	
RDTE,A	Joint Munitions and Lethality Mission Integration	$1,600,000	Frelinghuysen	
RDTE,A	Joint Precision AirDrop Systems-Wind Profiling Portable Radar	$1,840,000	Murtha	
RDTE,A	Kinetic Energy Enhanced Lethality and Protection Materials	$2,000,000		Alexander; Corker
RDTE,A	Laboratory for Engineered Human Protection	$1,600,000	Fattah	
RDTE,A	Large Format Li-Ion Battery	$4,960,000	Moore (WI)	Kohl
RDTE,A	Large Structure Titanium Machining Initiative	$800,000		Klobuchar; Stabenow
RDTE,A	Large-Scale Manufacturing of Revolutionary Nanostructured Materials	$1,200,000	Moore (WI)	
RDTE,A	Laser-Guided Energy (LGE) Demonstrator	$2,240,000		Cochran
RDTE,A	Lattice Block Structures for AM2 Matting Replacement	$1,600,000	Hodes	Gregg; Shaheen
RDTE,A	Legacy Aerospace Gear Drive Re-Engineering Initiative	$2,000,000	Larson (CT)	Dodd
RDTE,A	Lens-Less Dual-Mode Micro Seeker for Medium-Caliber Guided Projectiles	$2,000,000	Dreier	
RDTE,A	Leonard Wood Institute	$12,000,000	Skelton	
RDTE,A	Lifestyle Modifications to Reduce Chronic Disease in Military Personnel	$1,500,000	Pelosi	
RDTE,A	Light Weight Nanophosphate Battery with Improved Energy Density	$2,000,000	Markey (MA)	Kerry; Kirk
RDTE,A	Lightweight 10-meter Antenna Mast	$2,000,000	Obey	
RDTE,A	Lightweight Caliber .50 Machine Gun	$3,200,000	Michaud; Pingree (ME)	Collins; Leahy; Snowe
RDTE,A	Lightweight Magnesium Parts for Military Applications	$1,600,000	Holden	Casey
RDTE,A	Lightweight Medical Devices	$1,600,000		Brownback
RDTE,A	Lightweight Metal Alloy Foam for Armor	$3,200,000	Kaptur	
RDTE,A	Lightweight Munitions and Surveillance System for Unmanned Air and Ground Vehicles	$3,840,000	Garrett	Lautenberg; Menendez
RDTE,A	Lightweight Packaging System for Enhancing Combat Munitions Logistics	$1,600,000	Frelinghuysen; Rothman	Lautenberg; Menendez
RDTE,A	Lightweight Polymer Designs for Soldier Combat Optics	$800,000	Olver	Kerry
RDTE,A	Lightweight Protective Roofing	$1,200,000	Moran (VA)	
RDTE,A	Lightweight Reliable Materials for Military Systems	$2,800,000		Conrad; Dorgan
RDTE,A	Lightweight, Battery Driven, and Battlefield Deployment Ready NG Feeding Tube Cleaner	$500,000	Thompson (PA)	
RDTE,A	Linear Accelerator Cancer Research Project	$800,000	Rangel; Lowey; Maloney	Schumer
RDTE,A	Locating and Tracking Explosive Threats with Wireless Sensors and Networks	$4,800,000	Emerson	
RDTE,A	Logistical Fuel Processors Development	$1,200,000	Bachus; Rogers (AL)	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Long Range Hypersonic Interceptor	$1,600,000		Brownback; Roberts
RDTE,A	Long-term Pain and Infection Management for Combat Casualty Care	$2,320,000		Cochran; Wicker
RDTE,A	Low Cost Interceptor	$1,680,000		Shelby
RDTE,A	LW25 Gun System and Demonstration	$2,400,000	Kingston	
RDTE,A	M109A6 Paladin	$1,600,000	Rogers (AL)	
RDTE,A	Maine Center for Toxicology and Environmental Health, Toxic Particles Research and Equipment	$1,600,000	Pingree (ME)	
RDTE,A	Maine Institute for Human Genetics and Health	$1,600,000	Michaud	Collins; Snowe
RDTE,A	Malaria Vaccine Development	$4,000,000	McDermott; Smith (WA)	Cantwell; Murray
RDTE,A	Manufacturing and Industrial Technology Center	$400,000	Boyd	Nelson (FL)
RDTE,A	Manufacturing Lab for Next Generation Engineers	$1,600,000	Schock	
RDTE,A	Mariah Hypersonic Wind Tunnel Development Program	$7,600,000	Rehberg	Baucus; Tester
RDTE,A	Market Viable, Dual-Use, Advanced Energy Storage Solutions Development	$4,000,000	Hinchey	Schumer
RDTE,A	Marty Driesler Lung Cancer Project	$1,600,000	Rogers (KY)	
RDTE,A	Maryland Proof of Concept Alliance for Defense Technologies	$1,600,000		Mikulski
RDTE,A	Mass Casualty First Responders Disaster Surge Technology Program	$2,400,000	Pallone; Rothman	Lautenberg; Menendez
RDTE,A	Materials for Infrared Night Vision Equipment	$7,200,000		Durbin
RDTE,A	Materials Processing and Applications Development Center of Excellence for Industry	$1,200,000	Bachus	
RDTE,A	Materials Technology for LED Lighting Applications	$2,400,000	Rehberg	Tester
RDTE,A	Medical Biosurveillance and Efficiency Program	$1,600,000	Altmire	
RDTE,A	Medical Errors Reduction Initiative	$2,000,000	Rothman	
RDTE,A	Medium Caliber Metal Parts Upgrade	$3,000,000	Kanjorski	Casey; Specter
RDTE,A	MEMS Antenna for Wireless Communications Supporting UAVs in the Battlefield	$2,400,000	Pomeroy	Conrad; Dorgan
RDTE,A	Micro Inertial Navigation Unit Technology	$1,200,000	Doyle	Specter
RDTE,A	Microencapsulation and Vaccine Delivery Research	$800,000	Edwards (TX)	
RDTE,A	Micromachined Switches in Support of Transformational Communications Architecture	$2,400,000	Miller, George (CA)	
RDTE,A	Microterrain Persistent Surveillance	$1,600,000		Bond
RDTE,A	Mid-Infrared Super Continuum Laser	$800,000	Kilpatrick; Dingell	Levin; Stabenow
RDTE,A	Midwest Traumatic Injury Rehabilitation Center	$1,168,000	Ehlers	Levin
RDTE,A	Military Applications for Medical Grade Chitosan	$3,000,000		Inouye
RDTE,A	Military Burn Trauma Research Program	$4,500,000	Matsui; Lungren	Begich; Boxer; Brown; Burris; Cantwell; Gillibrand; Hatch; Kerry; Lieberman; Menendez; Reed; Sanders; Schumer; Whitehouse
RDTE,A	Military Drug Management System	$2,400,000	Mollohan	
RDTE,A	Military Family Coping Patterns	$400,000	Edwards (TX)	Cornyn
RDTE,A	Military Family Empowerment Initiative	$800,000		Mikulski
RDTE,A	Military Fuel Cell Genset Technology Demonstration	$2,000,000	Boccieri	
RDTE,A	Military Installation Electric Vehicle Demonstration Project	$1,600,000		Bond
RDTE,A	Military Low Vision Research	$2,400,000	Lynch; Capuano	Kerry
RDTE,A	Military Medical Decontamination System	$4,500,000		Brown; Voinovich
RDTE,A	Military Mental Health Initiative	$600,000	Kilpatrick; Dingell	Levin; Stabenow
RDTE,A	Military Nutrition Research: Four Tasks to Address Personnel Readiness	$800,000	Alexander	Landrieu; Vitter

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Military Pediatric Training and Support	$4,000,000	Norton	
RDTE,A	Minimizing Shock in Battlefield Injuries	$1,900,000		McConnell
RDTE,A	Missile Attack Early Warning System	$2,080,000		Shelby
RDTE,A	Mission Hospital Computerized Physician Order Entry	$800,000	Shuler	
RDTE,A	Missouri Multi-Threat Detection Initiative (M2TDI)	$2,000,000		Bond
RDTE,A	MLRS Disposal System	$2,500,000		Ensign; Reid
RDTE,A	Mobile Aerosol Monitoring System for the Department of Defense	$1,200,000		Reid
RDTE,A	Mobile Integrated Diagnostic and Data Analysis	$1,600,000	Adler	
RDTE,A	Mobile Localization (M–LOC)	$1,200,000		Inouye
RDTE,A	Mobile Mesh Network Node	$1,760,000	Obey	
RDTE,A	Mobile Power 30 Kilowatt System Power Control Unit Development Project	$800,000	Harman	
RDTE,A	Model for Green Laboratories and Clean Rooms	$1,200,000	Bishop (GA)	
RDTE,A	Modeling and Testing of Next Generation Body Armor	$2,000,000	Rush	Durbin
RDTE,A	Moldable Fabric Armor	$2,240,000	Inglis	Graham
RDTE,A	Molecular Electronics for Flash Memory Production	$2,400,000	Lipinski	Durbin
RDTE,A	Montefiore Critical Looking Glass	$1,200,000	Engel	Schumer
RDTE,A	Mortar Anti-Personnel / Anti-MaterielTechnology	$3,200,000	Rothman	Klobuchar; Lautenberg; Menendez
RDTE,A	MOTS All Sky Imager	$960,000	Reyes; Rodriguez	
RDTE,A	MQ-8B Fire Scout Army	$6,800,000		Cochran; Schumer; Wicker
RDTE,A	Multi-Campus Base Facility Energy Independence	$3,200,000	Kaptur	
RDTE,A	Multi-Dose Closed Loop pH Monitoring System for Platelets	$1,600,000	McDermott; Smith (WA)	Murray
RDTE,A	Multifunctional Nanomaterials for Homeland Defense, Counter-Terrorism and Dual-Use Applications	$2,000,000		Lautenberg; Menendez
RDTE,A	Multi-layer Co-extrusion for High Performance Packaging	$1,600,000	Obey	
RDTE,A	Multiple Source Data Fusion for Dugway Proving Ground	$2,000,000	Bishop (UT)	Bennett; Hatch
RDTE,A	Multiplexed Human Fungal Infection Diagnostic	$1,600,000	Frank (MA)	Kerry
RDTE,A	Multi-Utility Materials for Future Combat Systems	$7,200,000	Herseth Sandlin; Brown, Corrine (FL); Latham; Meek	Grassley; Harkin; Johnson
RDTE,A	Musculoskeletal Interdisciplinary Research Initiative	$1,600,000	Bilirakis	
RDTE,A	Myositis Association—exposure to environmental toxins	$1,000,000	Israel	Schumer
RDTE,A	Nano Advanced Cluster Energetics	$1,600,000	Frelinghuysen	
RDTE,A	Nanocomposite Enhanced Radar and Aerospace Materials (NERAM)	$800,000		Hutchison
RDTE,A	Nanocrystal Source Display	$760,000	Markey (MA)	Kerry
RDTE,A	Nanoelectronic Memory, Sensor and Energy Devices	$6,300,000		Nelson (NE)
RDTE,A	Nano-enabled Ultra High Storage Density Non-volatile Memory for Commander's Digital Assistant	$2,400,000		Feinstein
RDTE,A	Nanofiber Based Synthetic Bone Repair Device for Limb Salvage	$1,000,000	Wamp	
RDTE,A	Nanofluid Coolants	$500,000	Davis (KY)	Bunning
RDTE,A	Nano-Imaging Agents for Early Disease Detection	$800,000	Green, Al (TX); Culberson	
RDTE,A	Nanomanufacturing of Multifunctional Sensors	$4,000,000	Tsongas	Kerry; Kirk
RDTE,A	Nanophotonic Biosensor Detection of Bioagents and Pathogens	$1,520,000	Kingston; Bishop (GA)	Chambliss; Isakson
RDTE,A	Nanophotonic Devices	$1,600,000		Hutchison
RDTE,A	Nanotechnology Enterprise Consortium (NTEC)	$5,000,000		Bond

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Nanotechnology for Potable Water and Waste Treatment	$1,600,000	Sutton; Murphy, Tim (PA)	Landrieu
RDTE,A	Nanotechnology Fuze	$1,600,000	Obey	
RDTE,A	Nanotechnology-Enabled Self-Healing Anti-Corrosion Coating Products	$1,400,000	Holt	Lautenberg; Menendez
RDTE,A	Nanotubes Optimized for Lightweight Exceptional Strength (NOLES)	$3,200,000	Crenshaw	Nelson (FL)
RDTE,A	National Biodefense Training Center	$5,000,000	Olson	Hutchison
RDTE,A	National Center for Defense Manufacturing and Machining	$1,600,000	Murphy, Tim (PA)	Casey; Specter
RDTE,A	National Eye Evaluation and Research Network	$2,400,000	Lewis (CA); Sarbanes	Harkin
RDTE,A	National Functional Genomics Center	$6,000,000	Bilirakis; Castor (FL); Young (FL)	Nelson (FL)
RDTE,A	National Oncogenomics and Molecular Imaging Center	$4,760,000	Kilpatrick	Levin; Stabenow
RDTE,A	Natural Gas Firetube Boiler Demonstration	$800,000	Hare	Durbin; Harkin
RDTE,A	NAU-TGen North Dangerous Pathogens DNA Forensics Center Upgrades	$1,600,000	Kirkpatrick	
RDTE,A	Navy Gun Ammunition Demilitarization and Recycling	$1,600,000		Reid
RDTE,A	Near Infrared Spectroscopy Military Personnel Assessment	$800,000	Castor (FL)	Nelson (FL)
RDTE,A	Networked Reliability and Safety Early Evaluation System	$1,600,000	Dent	Specter
RDTE,A	Neural Control of External Devices	$2,000,000	Kennedy	Bennett; Hatch; Kerry; Kirk
RDTE,A	Neuroimaging and Neuropsychiatric Trauma in US Warfighters	$6,250,000	Pelosi	Boxer; Feinstein
RDTE,A	Neuro-Performance Research	$1,600,000	Moran (VA)	
RDTE,A	Neuroscience Research Consortium to Study Spinal Cord Injury	$1,200,000	Diaz-Balart, Lincoln (FL); Ros-Lehtinen; Wasserman Schultz	Nelson (FL)
RDTE,A	New Vaccines to Fight Respiratory Disease and Central Nervous Disorders	$4,800,000	Latham	Grassley; Harkin
RDTE,A	New York Medical College Bioterrorism Research	$132,000	Lowey	Schumer
RDTE,A	Next Generation Communications System	$800,000	Altmire	Casey; Specter
RDTE,A	Next Generation Green, Economical and Automated Production of Composite Structures for Aerospace	$1,000,000	Grijalva	
RDTE,A	Next Generation High Strength Glass Fibers for Ballistic Armor Applications	$1,600,000	Wilson (SC)	Graham
RDTE,A	Next Generation Lightweight Drive System for Army Weapons Systems	$1,600,000	Herseth Sandlin	Johnson; Thune
RDTE,A	Next Generation Machining Technology and Equipment	$1,600,000	Murphy (NY)	Schumer
RDTE,A	Next Generation Precision Airdrop System	$2,000,000	Larson (CT)	
RDTE,A	Next Generation Wearable Video Capture System	$800,000	Stupak	Levin
RDTE,A	Nicholson Center for Surgical Advancement Medical Robotics and Simulation	$4,200,000	Grayson	Nelson (FL)
RDTE,A	Night Vision and Electronic Sensors Directorate	$2,000,000	Olver	
RDTE,A	NLOS-LS Anti-Tamper Initiative	$3,040,000		Lugar
RDTE,A	Non-Leaching Antimicrobial Surface for Orthopedic Devices	$1,200,000	Capuano	Kerry
RDTE,A	Northern Illinois Proton Treatment and Research Center	$2,800,000	Foster	
RDTE,A	Novel Endothermic Armor Material for Insensitive Munitions Protection of Tactical Missiles and Tubes	$2,500,000		Ensign; Reid
RDTE,A	Novel Zinc Air Power Sources for Military Applications	$2,000,000	Rogers (AL)	
RDTE,A	Nurse Education Center of Excellence for Remote and Medically Underserved Populations	$1,600,000	Shuster	
RDTE,A	Nursing Teaching and Leadership Program	$800,000	McDermott	
RDTE,A	OMNI Active Vibration Control System	$2,400,000	Dahlkemper	Casey; Specter
RDTE,A	ONAMI Miniaturized Tactical Energy Systems Development	$2,500,000	Schrader; Blumenauer; DeFazio; Walden; Wu	Merkley; Wyden
RDTE,A	On-Board Hybrid Power Unit (OBHPU)	$1,040,000	Harper	Cochran; Wicker

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	On-Board Vehicle Power Systems Development	$2,480,000	Aderholt	Sessions; Shelby
RDTE,A	One-Step JP-8 Bio-Diesel Fuel	$1,600,000	Obey	
RDTE,A	Online Health Services Optimization	$3,120,000		Cochran
RDTE,A	Open Source Intelligence for Force Protection and Intelligence Analysis	$800,000	DeLauro	Hutchison
RDTE,A	Operating Room of the Future	$2,000,000	Berman	Boxer
RDTE,A	Operation Re-Entry NC	$2,400,000	Butterfield	Hagan
RDTE,A	Optical Neural Techniques for Combat and Post-Trauma Healthcare	$3,500,000	Inslee; McDermott; Smith (WA)	Cantwell; Murray
RDTE,A	Optimization of the US Army Topographic Data Management Enterprise	$2,080,000	Murtha; Moran (VA)	
RDTE,A	Optimizing Natural Language Processing of Open Source Intelligence	$1,200,000	Bishop (UT)	Bennett; Hatch
RDTE,A	Organic Semiconductor Modeling and Simulation	$880,000	Gohmert	
RDTE,A	Orion High Altitude Long Endurance UAV Risk Reduction Effort	$7,760,000		Cochran; Wicker
RDTE,A	Pacific Command Renewable Energy Security Systems	$2,400,000	Abercrombie	
RDTE,A	Parsons Institute for Information Mapping	$1,200,000	Nadler	Schumer
RDTE,A	Parts-on-Demand from CONUS Operations	$4,500,000	Pomeroy	Conrad; Dorgan
RDTE,A	Pediatric Cancer Research and Clinical Trials	$1,600,000	Ryan (OH); Culberson; Rothman; Van Hollen	Crapo; Risch
RDTE,A	Perimeter Security Systems	$4,500,000		Lautenberg; Menendez
RDTE,A	Permafrost Tunnel	$500,000		Begich
RDTE,A	Perpetually Available and Secure Information Systems	$3,200,000	Doyle	
RDTE,A	Personal Miniature Thermal Viewer	$800,000	Michaud	
RDTE,A	Personal Status Monitor	$800,000	Maffei; McHugh	Schumer
RDTE,A	Phase II, Regional Partnership—Ft. Bliss, WSMR, Holloman	$3,760,000	Teague	Bingaman; Udall (NM)
RDTE,A	Plant-Based Vaccine Research	$2,000,000	Guthrie	
RDTE,A	Plasma Sterilizer	$2,400,000	Ellison; McCollum	Klobuchar
RDTE,A	Plug-in Architecture for DOD Medical Imaging	$1,200,000	Moran (VA)	
RDTE,A	Plug-in Hybrid Electric Vehicle	$4,000,000		Lugar
RDTE,A	Polymeric Web Run-Flat Tire Inserts for Convoy Protection	$3,500,000	Obey	
RDTE,A	Portable Fuel Cell Power Source	$2,400,000	Price (NC)	
RDTE,A	Portable Low-Volume Therapy for Severe Blood Loss	$1,600,000	Oberstar	
RDTE,A	Portable Mobile Emergency Broadband Systems	$3,200,000	Gerlach; Sestak	Casey; Specter
RDTE,A	Portable Sensor for Toxic Gas Detection	$2,080,000	Granger	
RDTE,A	Positron Capture and Storage	$2,400,000	McMorris Rodgers	Murray
RDTE,A	Power Efficient Microdisplay Development for US Army Night Vision	$2,400,000	Hall (NY)	Schumer
RDTE,A	Prader Willi Syndrome Research	$1,600,000	Royce	
RDTE,A	Precision Guidance Kit Technology Development	$6,000,000	Mollohan; Bartlett	Inhofe
RDTE,A	Precision Guided Airdropped Equipment	$1,200,000	Velázquez; Towns	Schumer
RDTE,A	Precision Strike Munitions Advancement with Integrated Millimeter Wave Power Sources to Satisfy Army Strategic Goals	$3,280,000	Bishop (UT)	Bennett; Hatch
RDTE,A	Predictive Casting Process Modeling for Rapid Production of Critical Defense Components	$1,600,000	Hall (TX)	
RDTE,A	Pre-Discharge Threat Cues	$1,600,000		Levin; Stabenow
RDTE,A	Pride Center for America's Wounded Veterans	$1,600,000	Berry	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Printed and Conformal Electronics for Military Applications	$1,600,000	Mitchell; Lance; Lofgren; Ryan (OH); Schakowsky; Tonko	Feinstein; Johnson; Schumer
RDTE,A	Project National Shield Integration Center	$1,200,000	Capito	
RDTE,A	Projectile Unmanned Aerial Systems	$2,400,000	Larson (CT); Courtney	Dodd; Lieberman
RDTE,A	Protective 3-D Armor Structure to Safeguard Military Vehicles and Troops	$1,600,000	Levin	Levin; Stabenow
RDTE,A	Protective Gear Development through Man-In-Simulant-Test Chamber	$800,000	Etheridge; Miller (NC)	
RDTE,A	Protein Hydrogel for Surgical Repair of Battlefield Injuries	$800,000	Gingrey (GA)	Chambliss; Isakson
RDTE,A	Qualification and Insertion of New High Temperature Domestic Sourced PES for Military Aircraft	$2,400,000	Johnson, Eddie Bernice (TX)	
RDTE,A	RAND Arroyo Center	$1,600,000	Moran (VA)	Feinstein
RDTE,A	Rapid Burn Wound Therapies	$2,000,000		Bennett; Hatch
RDTE,A	Rapid Insertion of Developmental Technologies into Fielded Systems	$1,600,000	Frelinghuysen; Sires	
RDTE,A	Rapid Response Force Projection Systems	$1,600,000	Rothman	
RDTE,A	Rapid Response Hostile Fire Detection and Active Protection of Ground and Air Vehicles Sensor Demonstration	$2,560,000		Shelby
RDTE,A	Rapid Wound Healing Cell Technology	$2,000,000	Doyle	Casey
RDTE,A	Rare Earth Mining Separation and Metal Production	$2,400,000	Lewis (CA)	
RDTE,A	RDT&E for the Family of Heavy Tactical Vehicles (FHTV)	$1,600,000	Kagen	Kohl
RDTE,A	Reactive Materials	$1,200,000	Barton	
RDTE,A	Reduced Manning Situational Awareness	$4,000,000	Young (FL)	
RDTE,A	Reducing First Responder Casualties with Physiological Monitoring	$1,200,000	Hodes	
RDTE,A	Regenerative Medicine for Acute Deafness	$2,400,000	Inslee; McDermott; Smith (WA)	Murray
RDTE,A	Regenerative Medicine for Battlefield Injuries	$1,000,000	Carson	Lugar
RDTE,A	Regenerative Medicine Research	$1,600,000	Michaud	
RDTE,A	Reliability and Affordability Enhancement for Precision Guided Munition Systems	$4,800,000	Frelinghuysen	
RDTE,A	Remote Bio-Medical Detector	$2,800,000	Murtha	
RDTE,A	Remote Environmental Monitoring and Diagnostics in the Perishables Supply Chain	$2,200,000	Stearns	Nelson (FL)
RDTE,A	Remote Explosive Analysis and Detection System	$800,000	Griffith	
RDTE,A	Renewable Energy Testing Center	$800,000	Matsui; Lungren	
RDTE,A	Renewable Jet Fuel from Lignocellulosic Feedstocks	$2,400,000	Herseth Sandlin	Johnson; Thune
RDTE,A	Research to Develop Strategies to Improve Prognosis of Soldiers Suffering Abdominal Trauma	$1,600,000	Yarmuth	
RDTE,A	Research to Treat Cancerous Brain Tumors using Neural Stem Cells	$1,600,000	Lewis (CA)	
RDTE,A	Ripsaw Unmanned Ground Vehicle (UGV) Weaponization	$2,000,000	Pingree (ME)	Collins; Snowe
RDTE,A	Robust Composite Structural Core for Army Helicopters	$1,600,000	Shea-Porter	Gregg; Shaheen
RDTE,A	Rocket Motor Contained System	$800,000	Heller	Reid
RDTE,A	Rugged Electronic Textile Vital Signs Monitoring	$2,400,000	Kennedy	Reed; Whitehouse
RDTE,A	Ruggedized Military Laptop Fuel Cell Power Supply—Project Phase 3	$3,200,000	Brown, Corrine (FL); Crenshaw	Nelson (FL)
RDTE,A	Rural Health Center of Excellence for Remote and Medically Underserved Populations	$1,600,000	Shuster	Casey
RDTE,A	Scaleable Efficient Power for Armament Systems and Vehicles Dual Use	$4,000,000	Rothman	Lautenberg
RDTE,A	Scenario Generation for Integrated Air and Missile Defense Evaluation	$3,360,000	Aderholt; Reyes; Rogers (AL)	Sessions; Shelby
RDTE,A	School of Nursing Advancement	$2,000,000	Pelosi	
RDTE,A	Science, Technology, Engineering, Mathematics (STEM) at Coppin University	$800,000	Cummings	
RDTE,A	Secure Open Source Initiative	$2,400,000	Price (NC); Miller (NC)	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	Self Powered Prosthetic Limb Technology	$1,600,000	Thompson (PA)	Casey; Specter
RDTE,A	Self Powered, Lightweight, Flexible Display Unit on a Plastic Substrate	$3,040,000		Grassley; Harkin
RDTE,A	Self-Powered Sensor System for Munition Guidance and Health Monitoring	$1,500,000	Holt	Lautenberg; Menendez
RDTE,A	Sensor Tape Physiological Monitoring	$2,000,000	Bishop (GA)	
RDTE,A	Shadow TUAS Flight in the National Air Space	$2,000,000	Kratovil	Cardin; Mikulski
RDTE,A	Shared Vision	$2,400,000	Latham	Grassley; Harkin
RDTE,A	SHARK Precision Guided Artillery Round—105mm	$4,000,000	Young (FL)	
RDTE,A	Shortwave Infrared Hostile Fire Indicator for Aircraft	$1,500,000	Holt	Lautenberg; Menendez
RDTE,A	Silent Watch, IB NPS 1160 Lithium-Ion Advanced Battery	$800,000	Dent	
RDTE,A	Silicon Nanomaterial for Battlefield Medical Devices	$2,800,000		Conrad; Dorgan
RDTE,A	Silver Fox and Manta Unmanned Aerial Systems	$1,600,000	Franks (AZ)	
RDTE,A	Simulation Based Reliability and Safety (SimBRS) Program	$4,900,000	Harper	Cochran; Wicker
RDTE,A	Smart Integrated Systems: Materials, Manufacturing Methods, andμStructuresμ	$1,000,000	Herseth Sandlin	Johnson; Thune
RDTE,A	Smart Machine Platform Initiative	$2,400,000	Driehaus; Tonko	Brown; Schumer; Voinovich
RDTE,A	Smart Oil Sensor	$2,400,000	Thompson (PA)	Casey; Specter
RDTE,A	Smart Plug-In Hybrid Vehicle Program	$3,280,000	Kilpatrick; Conyers; Dingell; Rogers (MI)	Levin; Stabenow
RDTE,A	Smart Sensor Supercomputing Center	$8,000,000		Byrd
RDTE,A	Smart Wound Dressing for MRSA Infected Battlefield Wounds	$800,000	Driehaus; Cummings; Ruppersberger; Scott (VA)	Cardin; Kerry; Voinovich; Warner; Webb
RDTE,A	Soldier Personal Cooling System	$960,000	Kosmas	Nelson (FL)
RDTE,A	Soldier Protection through Unmanned Ground Vehicles	$1,200,000	Nye	
RDTE,A	Soldier Situational Awareness Wristband	$1,120,000	Capuano	
RDTE,A	Solid Oxide Fuel Cell Powered Tactical Charger	$960,000	Maffei	Schumer
RDTE,A	Solid State Processing of Titanium Alloys for Advanced Materiel Armaments	$1,200,000	Kaptur; LaTourette	
RDTE,A	Specialized Compact Automated Mechanical Clearance Platform	$3,200,000	Murphy, Patrick (PA)	
RDTE,A	Spectroscopic Materials Identification Center	$1,600,000	Berry	Lincoln; Pryor
RDTE,A	Spinal Cord Restoration Therapies	$1,600,000	Hoyer; Cummings; Ruppersberger	Cardin
RDTE,A	Spinal Muscular Atrophy Research Program	$3,000,000	Pelosi; Nadler; Rangel	Schumer
RDTE,A	Spinel Transparent Armor Production Technology	$800,000	Ruppersberger	Cardin; Mikulski
RDTE,A	Squad Mission Support System (SMSS)	$1,600,000		Cornyn
RDTE,A	Stabilized Enzyme Biofuel Cell (SEBC) for Unmanned Ground Sensors	$1,200,000		Bond
RDTE,A	Stabilized Hemoglobin Wound Healing Development	$1,200,000	Herseth Sandlin	Johnson; Thune
RDTE,A	Standard Ground Station—Enhancement Program	$2,000,000	Lance; Rothman	
RDTE,A	Standoff Hazardous Agent Detection and Evaluation System	$8,500,000	Berry	Lincoln; Pryor
RDTE,A	Standoff Improvised Explosive Detection Program	$4,800,000	Boyd; Berry; Brown, Corrine (FL); Hirono; Meek	Akaka; Lincoln; Nelson (FL); Pryor
RDTE,A	Standoff Sensors, Detection of Explosives and Explosive Devices (IEDs)	$3,200,000	Kennedy; Langevin; Tsongas	Kerry; Kirk; Whitehouse
RDTE,A	Staph Vaccine	$6,400,000		Conrad; Dorgan
RDTE,A	Stress Disorders Research Initiative at Fort Hood	$2,400,000	Edwards (TX)	
RDTE,A	Superior Weapons Systems through Castings	$1,600,000		Brownback; Roberts
RDTE,A	Superlattice Semiconductors for Mobile SS Lighting and Solar Power Applications	$2,800,000	Hinchey	Schumer

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	SupportNet for Frontline Providers	$2,400,000	Lamborn; Perlmutter; Salazar	Udall (CO)
RDTE,A	Surveillance Augmentation Vehicle	$1,200,000	Childers	Cochran; Wicker
RDTE,A	Sustainable Alternative Energy	$2,000,000	Obey	
RDTE,A	Swarms Defense System	$2,400,000	Aderholt	Shelby
RDTE,A	Synchrotron-Based Scanning Research Neuroscience and Proton Institute	$6,000,000	Lewis (CA)	
RDTE,A	Tactical Cogeneration System	$2,400,000	Hastings (WA)	Murray
RDTE,A	Tactical Metal Fabrication System (TacFab)	$800,000	Turner; Adler; Andrews; Cole; Lance; Markey (MA); Ryan (OH); Tsongas	Inhofe; Kerry; Lautenberg; Menendez
RDTE,A	Tactical Overwatch High Altitude System	$800,000	Griffith	
RDTE,A	Tactical UAV, Heavy Fuel Engine	$1,600,000	Aderholt; Wilson (SC)	Graham; Shelby
RDTE,A	Tamper Proof Organic Packaging as Applied to Remote Armament Systems	$4,800,000	Hinchey	Schumer
RDTE,A	Techniques to Manage Noncompressible Hemorrhage Following Combat Injury	$2,000,000	Smith (TX); Carter; Gonzalez; Rodriguez	
RDTE,A	Technologies for Military Equipment Replenishment	$1,600,000	Obey	Kohl
RDTE,A	Technology Development at the Quad Cities Manufacturing Laboratory	$5,040,000	Hare	Grassley
RDTE,A	Technology for Rapid Foreign Language Acquisition for Specialized Military Intelligence Purposes	$1,600,000		Gregg; Shaheen
RDTE,A	Technology Solutions for Brain Cancer Detection and Treatment	$1,200,000	Cohen	
RDTE,A	Telepharmacy Robotic Medicine Device Unit	$800,000	Brady (PA)	Casey; Specter
RDTE,A	Terahertz Sensing and Imaging Technology	$1,600,000	Boozman	Lincoln; Pryor
RDTE,A	Testing of Microneedle Device for Multiple Applications	$960,000	Baldwin	
RDTE,A	The Center for Neuroprosthetics and BioMEMS	$1,600,000	McGovern	Kerry; Kirk
RDTE,A	Threat Detection and Neutralization	$3,200,000	Mollohan	
RDTE,A	Tire to Track Transformer System for Light Vehicles	$1,600,000	Peterson	Klobuchar
RDTE,A	Titanium Extraction, Mining and Process Engineering Research	$4,800,000	Rehberg	Baucus; Tester
RDTE,A	Titanium Powder Advanced Forged Parts Program	$3,040,000	Murtha	
RDTE,A	Transitioning Stretch Broken Carbon Fiber to Production Programs	$3,200,000	Aderholt; Bishop (UT)	Bennett; Hatch
RDTE,A	Translational Research for Muscular Dystrophy	$1,600,000	Michaud; Pingree (ME)	
RDTE,A	Transportable Renal Replacement Therapy for Battlefield Applications	$800,000	Altmire	
RDTE,A	Trauma Care, Research and Training	$2,400,000		Hutchison
RDTE,A	Trauma Response Simulation Training	$1,200,000	Boswell	Harkin
RDTE,A	Treatment of Battlefield Spinal Cord and Burn Injuries	$360,000	Wu; Baird; Blumenauer; Schrader	Merkley; Murray; Wyden
RDTE,A	Tungsten Heavy Alloy Penetrator and Warhead Development	$1,200,000	Carney	Specter
RDTE,A	Turbo Fuel Cell Engine	$3,200,000	Murtha	
RDTE,A	UH–60 Aviation Software Performance Assessment Test Bed	$5,690,000		Sessions; Shelby
RDTE,A	UH–60 Transmission/Gearbox Galvanic Corrosion Reduction	$1,500,000	Kissell	Burr; Hagan
RDTE,A	Ultra Light Metallic Armor	$800,000	Costello	Burris
RDTE,A	Ultra Light Weight Transmissions	$1,600,000	Schauer	Levin; Stabenow
RDTE,A	Ultra Wideband Active RF Detection of IEDs	$1,760,000		Tester
RDTE,A	Ultrasonic Impact Technology	$2,000,000		Shelby
RDTE,A	Understanding Blast Induced Brain Injury	$2,400,000	Fortenberry	Nelson (NE)
RDTE,A	Universal Control	$7,200,000	Larson (CT)	Dodd; Lieberman

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,A	University Center for Disaster Preparedness and Emergency Response	$1,200,000	Pallone; Holt	
RDTE,A	University of Miami Ryder Trauma Center/William Lehman Injury Research Center	$3,200,000	Diaz-Balart, Lincoln (FL)	
RDTE,A	Unmanned Aerial Systems Ground Based Sense and Avoid Capability Development for Integration into the National Air Space	$2,880,000		Shelby
RDTE,A	Unmanned Aerial Vehicle Resupply (UAVR)—BURRO	$3,200,000	Larson (CT)	Dodd; Lieberman
RDTE,A	Unmanned Ground Vehicle Initiative	$11,000,000		Levin
RDTE,A	Unmanned Robotic System Utilizing a Hydrocarbon Fueled Solid Oxide Fuel Cell System	$2,400,000	Dingell	Levin; Stabenow
RDTE,A	Unmanned System Algorithm Development	$3,200,000	Mollohan	
RDTE,A	Unserviceable Ammunition Demilitarization via Chemical Dissolution at Tooele Army Depot	$1,600,000	Bishop (UT)	Bennett; Hatch
RDTE,A	US Army Vascular Graft Research Project	$1,600,000	Rehberg	Baucus; Tester
RDTE,A	Vanadium Safety Readiness	$3,360,000	Dahlkemper; Paul; Space	
RDTE,A	Vanadium Technology Program	$2,400,000	Wilson (SC)	
RDTE,A	Vectored Thrust Ducted Compound Helicopter	$5,000,000		Carper; Casey; Cochran; Kaufman; Specter
RDTE,A	Vehicle Systems Engineering and Integration Activities	$8,000,000		Levin
RDTE,A	VePro—Health Usage Monitoring and Vehicle Prognostics	$2,880,000	Childers; Harper	Cochran; Levin; Wicker
RDTE,A	Vibration Management Enhancement Program	$2,400,000		Feinstein
RDTE,A	Video Compression Technology	$1,400,000	Holt	
RDTE,A	Vision Integrating Strategies in Ophthalmology and Neurochemistry	$3,200,000	Granger	Cornyn
RDTE,A	Visualization for Training and Simulation in Urban Terrains at Fort Knox	$1,200,000		McConnell
RDTE,A	Voice Recognition and Cross Platform Speech Interface System	$2,000,000	Shuster	
RDTE,A	VSIL: Armored Vehicle Components and Systems Simulated In Cost-Effective Virtual Design and Test Environment	$3,200,000		Levin; Stabenow
RDTE,A	VTOL Man-Rated UAV and UGV for Medical Multi-Missions and CASEVAC	$800,000	Harman	
RDTE,A	Waterside Wide Area Tactical Coverage and Homing	$3,200,000	Aderholt	
RDTE,A	Westchester County Medical Center Health Imaging Upgrades	$1,200,000	Lowey	Schumer
RDTE,A	Wireless HUMS for Condition Based Maintenance of Army Helicopters	$1,600,000	Rothman	Lautenberg; Menendez
RDTE,A	Wireless Medical Monitoring System	$2,400,000	Boswell; Latham; Miller, Gary (CA)	Grassley; Harkin
RDTE,A	Womens Cancer Genomics Center	$2,400,000	McCarthy (NY); Lowey	Schumer
RDTE,A	Wounded Servicemember Bioelectrics Research	$1,200,000	Nye	Warner; Webb
RDTE,A	Zinc-Flow Electrical Energy Storage	$2,000,000	Johnson (IL)	
RDTE,A	Zouline Armor	$3,360,000		Bond
RDTE,A	Zumwalt National Program for Countermeasures to Biological and Chemical Threats	$1,200,000	Neugebauer	
RDTE,AF	3D Bias Woven Perform Development	$2,400,000	Schwartz; Gerlach; Sestak	Specter
RDTE,AF	Accelerated Insertion of Advanced Materials and Certification for Military Aircraft Structure Material Substitution and Repair	$2,000,000	Tiahrt	Brownback; Roberts
RDTE,AF	Accelerator-Driven Non-Destructive Testing	$2,000,000	Simpson	Crapo; Risch
RDTE,AF	ACES 5 Ejection Seat	$1,920,000	Lamborn; Pastor (AZ); Tauscher	Bennett; Burr; Cochran; Dodd; Hatch; Lieberman; Wicker
RDTE,AF	Advance Propulsion Non-Tactical Vehicle	$1,600,000	Massa	Bingaman; Schumer; Udall (NM)
RDTE,AF	Advanced Aerospace Carbon Foam Heat Exchangers	$3,200,000	Wilson (OH)	Voinovich
RDTE,AF	Advanced Deformable Mirrors for High Energy Laser Weapons	$1,600,000	Heinrich	Bingaman; Udall (NM)

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,AF	Advanced Electromagnetic Location of IEDs Defeat System	$1,200,000	Kaptur	
RDTE,AF	Advanced Electronic Components for Sensor Arrays	$2,400,000	Young (FL)	
RDTE,AF	Advanced Fast Steering Mirror Applications for 3-D LADAR in LITENING Pod	$1,600,000		Conrad; Dorgan
RDTE,AF	Advanced Fiber Lasers Systems and Components	$3,200,000		Murray
RDTE,AF	Advanced Integrated Microsystems for Military Electronic Systems	$2,480,000		Cochran; Wicker
RDTE,AF	Advanced Lithium Battery Scale-up and Manufacturing	$1,600,000	Scott (GA); Bishop (GA); Johnson (GA)	Chambliss
RDTE,AF	Advanced Modular Avionics for Operationally Responsive Satellite Use	$2,480,000	Heinrich	Bingaman; Udall (NM)
RDTE,AF	Advanced Night Vision System—Cockpit Integration	$800,000		Murray
RDTE,AF	Advanced Tactical Laser	$2,240,000		Bingaman; Udall (NM)
RDTE,AF	Advanced Technical Intelligence Center (ATIC)	$5,200,000	Turner	Brown; Voinovich
RDTE,AF	Advanced Vehicle Propulsion Center	$2,400,000	McKeon	
RDTE,AF	Aerospace Lab Equipment Upgrade	$1,200,000	Napolitano	
RDTE,AF	Aerospace Laser Micro Engineering Station	$800,000	Wittman; Nye; Scott (VA)	
RDTE,AF	AFRL Edwards Rocket Test Stand 2-A Technical Improvements	$3,200,000	McCarthy (CA)	Feinstein
RDTE,AF	AFRL Seismic Research Program	$5,000,000	Markey (MA)	Kerry; Kirk; Leahy
RDTE,AF	Air Force Minority Leaders Program	$4,800,000	Abercrombie	Alexander; Corker; Hutchison; Landrieu
RDTE,AF	Aircraft Evaluation Readiness Initiative	$2,400,000	Latham	Grassley; Harkin
RDTE,AF	ALC Logistics Integration Environment	$800,000	Shuster	
RDTE,AF	Algal Biofuels for Aviation	$2,400,000	Teague	Bingaman; Udall (NM)
RDTE,AF	Algal-Derived Jet Fuel for Air Force Applications	$2,700,000	LaTourette	
RDTE,AF	Applications of LIDAR to Vehicles with Analysis	$6,000,000		Inouye
RDTE,AF	Assessment of Alternative Energy for Aircraft Ground Equipment (AGE)	$1,600,000	Wu	Merkley; Wyden
RDTE,AF	AT-6B Demonstration for ANG	$7,000,000	Tiahrt	Brownback; Roberts
RDTE,AF	Automated Processing of Advanced Low Observables (RAPALO)	$1,200,000		Brown
RDTE,AF	B-1 AESA Radar Operational Utility Evaluation	$2,000,000	Herseth Sandlin	Johnson; Thune
RDTE,AF	B-2 Advanced Tactical Data Link	$9,600,000	McKeon	Feinstein
RDTE,AF	B-52 Tactical Data Link Capability	$6,000,000	Tiahrt	Brownback; Roberts
RDTE,AF	Backpack Medical Oxygen System (BMOS)	$800,000	Akin	Bond
RDTE,AF	Ballistic Missile Technology	$1,600,000	Young (FL)	Nelson (FL)
RDTE,AF	Base Facility Energy Independence, Stewart Air National Guard Base	$4,000,000	Hinchey	Schumer
RDTE,AF	BATMAV Program Miniature Digital Data Link	$1,600,000	Young (FL)	
RDTE,AF	Big Antennas Small Structures Efficient Tactical UAV	$1,600,000	Harman	
RDTE,AF	Bio-JP8 Fuel Development	$4,000,000	Boyd	Nelson (FL)
RDTE,AF	Biometric Signature and Passive Physiological Monitoring	$5,000,000	Berkley	Reid
RDTE,AF	Body Armor Improved Ballistic Protection, Research and Development	$1,760,000	Murtha	
RDTE,AF	CAD/CAM Aircraft Structural Overhaul Work Center	$2,500,000	Bishop (UT)	Bennett
RDTE,AF	Carbon Nano-Materials for Advanced Aerospace Applications	$800,000	Culberson	
RDTE,AF	Carbon Nanotube Enhanced Power Sources for Space	$1,600,000	Markey (MA)	Kerry
RDTE,AF	Center for Solar Electricity and Hydrogen	$4,000,000	Kaptur	
RDTE,AF	Center for Space Entrepreneurship	$1,600,000	Polis	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,AF	Center for UAS Research, Education and Training	$6,400,000	Pomeroy	Conrad; Dorgan
RDTE,AF	Close Proximity Space Situational Awareness	$800,000	Edwards (TX)	
RDTE,AF	Coal Transformation Laboratory	$800,000		Lugar
RDTE,AF	Command and Control Service Level Management (C2SLM) Program	$3,200,000	Blunt	
RDTE,AF	Conducting Polymer Stress and Polymer Damage Sensors for Composites	$2,880,000		Cochran; Wicker
RDTE,AF	Consortium for Nanomaterials for Aerospace Commerce and Technology (CONTACT)	$3,200,000	Culberson	Hutchison
RDTE,AF	Corrosion Detection and Visualization Program	$800,000	Smith (WA)	Murray
RDTE,AF	COTS Technology for Space Command and Control	$3,200,000	Gerlach	Specter
RDTE,AF	Cyber Attack and Security Environment	$4,000,000	McHugh; Arcuri	Gillibrand; Schumer
RDTE,AF	Cyber Innovation Center (CIC) Research and Development Seed Fund	$800,000		Landrieu; Vitter
RDTE,AF	Cyber Security Research Program / Cyber Security Laboratory	$1,200,000	Alexander	Landrieu
RDTE,AF	Cybersecurity of Security Control Networks	$1,700,000	Terry	Nelson (NE)
RDTE,AF	Demonstration and Validation of Renewable Energy Technology	$800,000	Bishop (GA)	
RDTE,AF	Development and Testing of Advanced Hybrid Rockets for Space Applications	$2,800,000	Lofgren	
RDTE,AF	Development and Validation of Advanced Design Technologies for Hypersonic Research	$1,600,000		Klobuchar
RDTE,AF	Development of Deployable Biosensors	$1,600,000		Reid
RDTE,AF	Development of Mobile Wind Turbine Systems to Power Forward Bases	$1,200,000		Brown
RDTE,AF	Distributed Mission Interoperability Toolkit (DMIT)	$3,200,000	LoBiondo; Andrews; Sestak	
RDTE,AF	Domestic Manufacturing of 45nm Electronics	$3,200,000	Simpson	Crapo; Risch
RDTE,AF	Eagle Vision III Upgrades	$4,800,000		Boxer; Feinstein
RDTE,AF	Efficient Utilization of Transmission Hyperspace	$2,000,000	Arcuri	Schumer
RDTE,AF	Eglin AFB Range Operations Control Center	$2,000,000	Miller (FL)	
RDTE,AF	Electromagnetic Battlespace Management	$1,600,000	Edwards (TX)	
RDTE,AF	EMI Grid Fabrication Technology	$2,400,000	Bono Mack	
RDTE,AF	Energy and Sensor Informatics Research and Translation	$800,000	Lee (NY)	Schumer
RDTE,AF	Energy Efficiency, Recovery and Generation (ENERGy)	$1,000,000	Herseth Sandlin	Johnson; Thune
RDTE,AF	Energy Superior Lithium Battery Technology for Defense Applications	$1,600,000		Bond
RDTE,AF	Engine Health Management Plus Data Repository Center	$2,400,000	Murtha	
RDTE,AF	F–15C AESA Classified Demo	$8,000,000	Harper	Cochran; Wicker
RDTE,AF	Fine Water Mist Fire Suppression Technology to Replace Halon	$2,000,000	Boyd	Nelson (FL)
RDTE,AF	Fire and Blast Resistant Materials for Force Protection	$3,200,000		Kerry; Kirk; Kohl
RDTE,AF	FLASH Hyper-Dimensional Imaging for Near Space Surveillance and Ballistic Missile Defense	$2,000,000		Akaka; Inouye
RDTE,AF	Florida National Guard Total Force Integration	$2,400,000	Young (FL)	
RDTE,AF	Frank R. Seaver Science and Engineering Initiative	$1,760,000	Waters	
RDTE,AF	Freedom Fuels / Coal Fuel Alliance	$3,920,000	Davis (KY)	Bunning
RDTE,AF	Gallium Nitride (GaN) Microelectronics and Materials	$1,600,000	Coble	Hagan
RDTE,AF	GAPS / AWS Horizontal Integration	$4,000,000	Murtha	
RDTE,AF	Global UAS Networking and Interoperability System (GUNIS)	$4,000,000		Murray
RDTE,AF	Hawaii Microalgae Biofuel Project	$3,520,000	Hirono	Inouye
RDTE,AF	High Accuracy Network Determination System—Intelligent Optical Network for Space Situational Awareness	$5,000,000	Abercrombie	Inouye

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,AF	High Bandwidth, High Energy Storage, Exawatt Laser Glass Development	$2,800,000	Kanjorski	
RDTE,AF	High Energy Li-Ion Technology for Aviation Batteries	$1,200,000	Bishop (GA)	Chambliss; Isakson
RDTE,AF	High Pressure Pure Air Generator System	$1,600,000	Frelinghuysen	
RDTE,AF	High Temperature Hydrogen Energy Production Facility	$800,000		Hutchison
RDTE,AF	Holloman High Speed Test Track	$5,000,000	Teague	Bingaman; Udall (NM)
RDTE,AF	Hybrid Bearings	$800,000	Shuler; Coble; Wilson (OH)	Dodd; Gregg; Hagan; Lieberman; Shaheen
RDTE,AF	Hybrid Materials Integration (HMI)	$2,000,000	Kilroy	Brown; Voinovich
RDTE,AF	Hybrid Nanoparticle-based Coolant Technology Development and Manufacturing	$800,000	Dent	
RDTE,AF	Imaging Tools for Human Performance Enhancement and Diagnostics	$1,600,000		Voinovich
RDTE,AF	Information Quality Tools for Persistent Surveillance Data Sets	$1,440,000	Snyder	Lincoln; Pryor
RDTE,AF	Institute for Science and Engineering Simulation/Aircraft Fatigue Modeling and Simulation	$3,600,000	Burgess	Hutchison
RDTE,AF	Integrated Engine Starter/Generator	$1,600,000	Turner	Brown; Voinovich
RDTE,AF	Integrated Passive Electronic Components	$1,360,000	Simpson	Crapo; Risch
RDTE,AF	Integrated Propulsion Analysis and Spacecraft Engineering Tools (IPAT/ISET)	$4,800,000	Lewis (CA)	
RDTE,AF	Inter-Base Facility Energy Independence	$2,400,000	Kaptur	
RDTE,AF	Large Area, APVT Materials Development for High Power Devices	$1,600,000	Frelinghuysen	Lautenberg; Menendez
RDTE,AF	Laser Peening for Friction Stir Welded Aerospace Structures	$1,600,000	Tiahrt	Roberts
RDTE,AF	LGX High Temperature Acoustic Wave Sensors	$1,600,000	Michaud; Pingree (ME)	Collins; Snowe
RDTE,AF	Lightning Protection of Composites	$3,000,000		Brownback
RDTE,AF	Long-Loiter, Load Bearing Antenna Platform for Pervasive Airborne Intelligence	$4,000,000	Blunt	
RDTE,AF	Low-Defect Density Gallium Nitride Materials for High-Performance Electronic Devices	$2,800,000	Price (NC)	
RDTE,AF	Low-Earth Orbit Nanosatellite Integrated Defense Autonomous Systems (LEONIDAS)	$4,750,000		Inouye
RDTE,AF	Materials Integrity Management Research for the Air Force	$3,000,000		Roberts
RDTE,AF	Maui Space Surveillance System Operations and Research	$19,500,000		Inouye
RDTE,AF	Methanol Fuel Cell Development for USAF Battlefield Renewable Integrated Tactical Energy System (BRITES)	$2,400,000	Tauscher	Feinstein
RDTE,AF	Micromachined Switches for Next Generation Modular Satellites	$2,400,000	Miller, George (CA)	
RDTE,AF	Micro-Satellite Serial Manufacturing to Include Academic Outreach Educational Program	$1,200,000	Harman	
RDTE,AF	Mid-IR Laser Materials	$800,000		Lautenberg; Menendez
RDTE,AF	Military Waste-to-Energy Project using the Hydro-Thermal Energy Conversion (Hy-TEC) Process	$1,600,000		Johnson; Thune
RDTE,AF	Minuteman III Advanced Third Stage Domestic Fiber Motor Case Development	$2,400,000	Lungren	
RDTE,AF	Mission Design and Analysis Tool	$1,600,000	Kingston	
RDTE,AF	Mitigating RoHS Lead-Free Issues in Aerospace Circuit Board Manufacturing	$800,000	Kaptur; Sutton	Voinovich
RDTE,AF	Mobile Laser Systems for Aircraft Structures (MLSAS)	$800,000		Voinovich
RDTE,AF	MPOI for Battlespace Information Exchange	$2,900,000		Reid
RDTE,AF	Multi Sensor Detect, Sense and Avoid (MSDSA)	$3,200,000		Reid
RDTE,AF	Multiband Realtime Hyperspectral Targeting Sensor	$1,840,000	Hodes	Gregg; Shaheen
RDTE,AF	Multilingual Text Mining Platform for Intelligence Analysts	$800,000	Lee (NY)	
RDTE,AF	Multi-Mode Propulsion Phase IIA: High Performance Green Propellant	$1,600,000	Kratovil	
RDTE,AF	Multiple UAS Cooperative Concentrated Observation and Engagement Against a Common Ground Objective	$1,600,000	Bartlett	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,AF	National Test Facility for Aerospace Fuels Propulsion	$1,312,000	Buyer	
RDTE,AF	Net-Centric Sensor Grids	$2,400,000	Hill	Lugar
RDTE,AF	Next Generation Casting Initiative	$4,000,000	Blumenauer	Levin; Reid; Stabenow
RDTE,AF	Next Generation Simulation Training for Pararescue Forces	$1,600,000	Rehberg	Baucus; Tester
RDTE,AF	Next Generation Solar Electric In-Space Propulsion	$800,000	Inslee	Murray
RDTE,AF	Nuclear Enterprise Surety Tracking	$4,000,000	Fleming	
RDTE,AF	ONAMI Safer Nanomaterials and Nanomanufacturing	$3,520,000	DeFazio; Blumenauer; Schrader; Walden; Wu	Merkley; Wyden
RDTE,AF	On-Chip Integrated Photonic Polymer Transceiver	$4,500,000		Murray
RDTE,AF	Open Source Research Centers	$1,000,000	Turner	
RDTE,AF	P5CTS Equipment for the MT Joint Training Environment	$3,000,000		Baucus
RDTE,AF	PanSTARRS	$9,500,000		Inouye
RDTE,AF	Partnership for Energy and Automation Technologies	$1,600,000	Duncan	Corker
RDTE,AF	Pennsylvania NanoMaterials Commercialization Center	$800,000	Doyle	
RDTE,AF	Planar Lightwave Circuit Development for High Power Military Laser Applications	$2,400,000	Lance; Rothman	Lautenberg; Menendez
RDTE,AF	P-Net Ballistic Missile Technology	$2,000,000		Murkowski
RDTE,AF	Predator C	$1,200,000	Bilbray; Hunter; McKeon	
RDTE,AF	Process Integrated Mechanism for Human-Computer Collaboration and Coordination	$800,000	Stearns	
RDTE,AF	Production of Nanocomposites for Aerospace Applications	$1,600,000	Turner	
RDTE,AF	RAND Project Air Force	$1,600,000	Moran (VA)	Feinstein
RDTE,AF	Rapid Small Satellite Development Test Facilities	$1,600,000		Gregg
RDTE,AF	Real-time Optical Surveillance Applications	$3,500,000		Inouye
RDTE,AF	Reconfigurable Electronics and Non-Volatile Memory Research	$800,000		Crapo; Risch
RDTE,AF	Reconfigurable Secure Computing	$1,600,000	Moran (VA)	Warner; Webb
RDTE,AF	Reconstitution of B-52 Nuclear Capability Study	$2,400,000	Fleming	
RDTE,AF	Remote Language-Independent Suspect Identification	$2,560,000	Alexander	Landrieu
RDTE,AF	Renewable Hydrocarbon Fuels for Military Applications	$2,000,000	Kucinich; Kaptur	Brown
RDTE,AF	Rivet Joint Services Oriented Architecture	$2,000,000	Hall (TX)	
RDTE,AF	Safeguarding End-User Military Software	$4,000,000	Fortenberry	Nelson (NE)
RDTE,AF	Senior Scout Communications Intelligence (COMINT) Capability Upgrade	$2,400,000	Andrews; LoBiondo	
RDTE,AF	Sewage-Derived Biofuels Project	$3,840,000		Cochran; Wicker
RDTE,AF	SiC—RF Power for Airborne Avionics Systems	$1,600,000		Merkley; Wyden
RDTE,AF	Silicon Carbide Electronics Material Producibility Initiative	$5,040,000	Harper	Cochran; Wicker
RDTE,AF	Silicon Carbide Power Modules for the F–35 Joint Strike Fighter	$2,400,000	Boozman	Lincoln; Pryor
RDTE,AF	Small Responsive Spacecraft at Low-Cost	$2,400,000	Bishop (UT)	
RDTE,AF	Small Turbofan Versatile Affordable Advanced Turbine Engine Program	$3,200,000	Pastor (AZ)	
RDTE,AF	Space Sensor Data Link Technology	$4,800,000		Bennett
RDTE,AF	Space Situational Awareness	$4,000,000	Markey (MA)	Kerry; Kirk
RDTE,AF	Split Discharge Variable Delivery Pump for Military Aircraft	$1,600,000		Dodd
RDTE,AF	Strategic Biofuels Supply System	$1,600,000	Rodriguez	Cornyn
RDTE,AF	Sustainable Energy Vermont National Guard	$4,000,000		Sanders

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,AF	Synthetic Liquid Fuels	$2,400,000	Young (AK)	
RDTE,AF	Technical Order Modernization Environment	$1,200,000	Kaptur	
RDTE,AF	Temperature Resistant Landing Pad Jet Blast Protection	$800,000		Casey; Specter
RDTE,AF	Texas Research Institute for Environmental Studies	$800,000	Rodriguez	
RDTE,AF	Thermal and Energy Management for Aerospace	$3,200,000	Manzullo	Burris; Durbin
RDTE,AF	Thunder Radar Pod	$1,600,000	Blunt	Bond
RDTE,AF	Transportable Transponder Landing System	$2,400,000		Merkley; Wyden
RDTE,AF	UAV Sensor and Maintenance Development Center	$3,920,000	Bishop (UT)	Hatch
RDTE,AF	Ultra-High Temperature Materials for Hypersonic Aerospace Vehicles	$2,400,000	Emerson	
RDTE,AF	Unmanned Aerial System Exploitation	$3,500,000		Voinovich
RDTE,AF	Unmanned Aerial Systems Mission Planning and Operation Center	$2,800,000	Moran (KS)	
RDTE,AF	Unmanned Sense, Track, and Avoid Radar	$1,600,000	Lamborn	
RDTE,AF	Watchkeeper	$1,600,000	Rehberg	
RDTE,AF	Water for Injection and Air Purification with Carbon Nanotube Nanostrucured Material	$2,940,000		Leahy
RDTE,AF	Wavelength Agile Spectral Harmonic Oxygen Sensor and Cell-Level Battery Controller	$1,200,000	Dreier	
RDTE,AF	Wire Integrity Technology	$1,600,000	Marshall; Bishop (GA)	
RDTE,DW	3-D Electronics and Power	$4,800,000	Calvert	
RDTE,DW	3-D Technology for Advanced Sensor Systems	$2,000,000	Simpson	Crapo; Risch
RDTE,DW	Active Duty Training and Education Program	$2,000,000	Clyburn	
RDTE,DW	Advance Detection of Special Nuclear Materials	$2,000,000		Lugar
RDTE,DW	Advanced Battery Technology	$1,600,000	Young (FL)	
RDTE,DW	Advanced Composite Radome	$3,200,000		Gregg
RDTE,DW	Advanced Decision Support System	$2,000,000	Rothman; Payne	Menendez
RDTE,DW	Advanced Development of Antiviral Prophylactics and Therapeutics	$3,000,000	Pelosi	
RDTE,DW	Advanced Development of Mobile Rapid Response Prototypes	$2,400,000	Rothman	Lautenberg; Menendez
RDTE,DW	Advanced Distributed Aperture System (ADAS)/Hostile Fire Indicating System (HFIS)	$1,040,000		Hutchison
RDTE,DW	Advanced Materials Research Institute (AMRI)	$800,000		Landrieu; Vitter
RDTE,DW	Advanced SAM Hardware Simulator Development	$4,000,000	Bishop (GA); Johnson (GA); Scott (GA)	Chambliss; Isakson
RDTE,DW	Advanced Scientific Missile Intelligence Preparation of the Battlespace	$2,000,000	Griffith	
RDTE,DW	Advanced Technologies Sensors and Payloads/Unattended SIGINT Node	$4,800,000	Lewis (CA)	
RDTE,DW	Advanced, Long Endurance Unattended Ground Sensor Technologies	$3,920,000	Harper; Childers; Taylor	Cochran; Wicker
RDTE,DW	AELED IED/WMD Electronic Signature Detection	$4,800,000	Murtha	
RDTE,DW	AESA Technology Insertion Program	$2,400,000	Ackerman; McCarthy (NY)	Schumer
RDTE,DW	Affordable Miniature FOPEN Radar for Special Operations Craft—Riverine	$2,800,000	Murtha	
RDTE,DW	Affordable Robust Mid-Sized Unmanned Ground Vehicle	$1,600,000	Tsongas	
RDTE,DW	Agile Software Capability Intervention (ASCI)	$1,200,000		Bond
RDTE,DW	Aging Systems Sustainment and Enabling Technologies	$2,400,000	Lucas	Inhofe
RDTE,DW	Alternative Energy Study	$1,400,000		Feinstein
RDTE,DW	Alternative SOF Submersible Concept Design Study	$1,000,000	Scalise	Landrieu; Vitter
RDTE,DW	American Museum of Natural History Infectious Disease Research	$1,200,000	Lowey; Nadler	Schumer

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,DW	Antennas and other CNT Devices for Intelligence/Special Military	$3,000,000		Bond
RDTE,DW	Anti-viral Vaccine Development	$3,600,000	Latham	Grassley; Harkin
RDTE,DW	Armed Forces Health and Food Supply Research	$4,000,000		Roberts
RDTE,DW	Army Plant Vaccine Development Program	$1,600,000		Carper; Kaufman
RDTE,DW	ASIC Miniaturization for Lasers and Sensors Development	$2,400,000		Leahy
RDTE,DW	Automated Sample Preparation for Biological Detection	$800,000	Slaughter; Bartlett	Gillibrand; Schumer
RDTE,DW	Autonomous Control and Video Sensing for Robots	$800,000	Lee (NY)	Schumer
RDTE,DW	Autonomous Machine Vision for Mapping and Investigation of Remote Sites	$1,600,000	Davis (CA)	
RDTE,DW	Battle-Proven Packbot	$1,200,000	Tierney	Kerry
RDTE,DW	BioButanol Production Research	$2,000,000	Clyburn	
RDTE,DW	Biofuels Program	$1,600,000		Levin
RDTE,DW	Biological and Chemical Warfare Online Repository of Technical Holdings	$2,000,000	Hastings (WA)	Murray
RDTE,DW	Biometric Optical Surveillance System	$6,000,000	Guthrie	McConnell
RDTE,DW	BOPPER/COPPER—Bioterrorism Operations Policy for Public Emergency/Chemoterrorism Operations Policy for Public Emergency	$1,000,000		Burr
RDTE,DW	Border Security and Defense Systems Research	$1,600,000		Hutchison
RDTE,DW	Botulinum Neurotoxin Research	$2,000,000	Baldwin	
RDTE,DW	Botulinum Toxin Treatment Therapy	$800,000	Bishop (GA)	
RDTE,DW	Broad Spectrum Therapeutic Countermeasure to OP Nerve Agents	$1,600,000	DeLauro	Dodd
RDTE,DW	California Enhanced Defense Small Manufacturing Suppliers Program	$1,600,000	Roybal-Allard	
RDTE,DW	Carbon Nanotube Thin Film Near Infrared Detector	$1,600,000	Lewis (CA)	
RDTE,DW	CBRN Detection Unmanned Aircraft	$1,600,000	Young (FL)	
RDTE,DW	Cellulosic-Derived Biofuels Research	$2,400,000	Chandler	
RDTE,DW	Center for Education and Research on Corrosion and Materials Performance	$1,600,000	Ryan (OH); Sutton	Brown
RDTE,DW	Center for Innovation at Arlington	$2,700,000		Hutchison
RDTE,DW	Center for Intelligence and Security Studies	$2,400,000		Cochran; Wicker
RDTE,DW	Center for Nonproliferation Studies, Monterey Institute for International Affairs	$1,600,000	Berman	
RDTE,DW	Center for Research on Minority Health Prostate Cancer Outreach Project	$800,000	Jackson-Lee (TX); Green, Al (TX)	
RDTE,DW	Center of Excellence for Research in Ocean Sciences (CEROS)	$8,000,000		Inouye
RDTE,DW	Chemical and Biological Agent Fate Appropriate Response Operational Tool	$1,600,000	Kildee	Levin; Stabenow
RDTE,DW	Chemical and Biological Defense Program—Advanced Development	$2,000,000	Baldwin	
RDTE,DW	Chemical and Biological Infrared Detection System	$1,900,000		Collins
RDTE,DW	Chemical and Biological Resistant Clothing	$1,600,000	Sestak; Gerlach	Casey; Specter
RDTE,DW	Chemical and Biological Threat Reduction Coating	$2,400,000	Barrett	
RDTE,DW	Commodity Management Systems Consolidation Program	$1,600,000		Byrd
RDTE,DW	Comprehensive and Integrated Procedures for Risk Assessment and Resource Allocation	$2,000,000	Brady (PA)	
RDTE,DW	Comprehensive Maritime Domain Awareness	$3,200,000	Young (FL)	
RDTE,DW	Contaminated Human Remains Pouch	$1,600,000		Brownback; Roberts
RDTE,DW	Continuous Acquisition and Life-Cycle Support (CALS) Integrated Data Environment and Defense Logistics Enterprise Services Program (DLES)	$3,200,000		Byrd
RDTE,DW	Copper-base Casting Technology Applications	$1,600,000	Perlmutter	
RDTE,DW	Corrosion Resistant Ultrahigh-Strength Steel for Landing Gear	$1,600,000	Schakowsky	

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,DW	Corrosion Training Simulation Program	$1,200,000	Oberstar	Klobuchar
RDTE,DW	Countermeasures to Chemical and Biological Controls—Rapid Response	$2,800,000	Young (FL)	Nelson (FL)
RDTE,DW	Countermeasures to Combat Protozoan Parasites (Toxoplasmosis and Malaria)	$1,600,000	Young (FL)	
RDTE,DW	Counterproliferation Analysis and Planning System	$4,000,000	McNerney; Tauscher	
RDTE,DW	Covert Sensing and Tagging System	$1,200,000		Akaka; Inouye
RDTE,DW	Covert Waveform for Software Defined Radios	$2,800,000	Gingrey (GA)	Isakson
RDTE,DW	Cybersecurity and Operational Identity Management	$1,600,000	Farr	
RDTE,DW	Detection and Remediation of Bio/Chemical Weapons Program	$2,000,000	Clyburn	
RDTE,DW	Disaster Response: Communications and Other Infrastructure Restoration	$4,000,000		Crapo; Risch
RDTE,DW	Distributed Network Switching and Security	$1,600,000	Sanchez, Loretta (CA)	
RDTE,DW	DLA VetBiz Initiative for National Sustainment	$800,000	Sarbanes	
RDTE,DW	Dynamic Data Flow Management System	$1,600,000	Pomeroy	Conrad; Dorgan
RDTE,DW	EC–130J Multi-Mission Upgrades	$4,000,000		Specter
RDTE,DW	Electric Grid Reliability/Assurance	$800,000		Crapo; Risch
RDTE,DW	Electronics and Materials for Flexible Sensors and Transponders (EMFST)	$4,800,000	Pomeroy	Conrad; Dorgan
RDTE,DW	Emergency Egress System	$1,600,000		Leahy
RDTE,DW	End to End Semi Fab Alpha Tool	$1,600,000	Sanchez, Loretta (CA)	
RDTE,DW	Enhanced Simulation for Information Operations Capabilities	$4,720,000		Cochran
RDTE,DW	Enhancement of Geo-location Systems	$3,200,000	Posey	
RDTE,DW	Environmentally Friendly Nanometal Electroplating Processes for Cadmium and Chromium Replacement	$3,000,000	Obey	
RDTE,DW	Expeditionary Surveillance and Reconnaissance Program	$4,000,000		Byrd
RDTE,DW	Facility Security Using Tactical Surveys	$3,600,000	Lewis (CA)	
RDTE,DW	Feature Size Yield Enhancement Advanced Reconfigurable Manufacturing for Semiconductors Foundry	$2,400,000	Lungren; Matsui	
RDTE,DW	Field Experiment Program for Special Operations	$1,600,000	Farr	
RDTE,DW	FirstLink Technology Transfer Program	$2,400,000	Murtha	
RDTE,DW	Flashlight Soldier-to-Soldier Combat Identification System	$4,500,000	Granger; Rodriguez	Cornyn
RDTE,DW	Fuel Cell Hybrid Battery Manufacturing for Defense Operations	$800,000		Cardin; Mikulski
RDTE,DW	Fuelcell Locomotive	$2,400,000		Brownback
RDTE,DW	Future Dry Deck Shelter	$4,400,000	Courtney; Kennedy	Dodd; Lieberman; Reed
RDTE,DW	GMTI Radar for Class II UAVs	$800,000	Moran (VA)	
RDTE,DW	Gulf Range Mobile Instrumentation Capability	$2,400,000	Miller (FL)	
RDTE,DW	Hand-Held Apparatus for Mobile Mapping and Expedited Reporting	$2,800,000	Murtha	Casey
RDTE,DW	Hand-held, Lethal Small Unmanned Aircraft System	$1,000,000	Dreier	
RDTE,DW	Hawaii Advanced Laboratory for Information Integration	$2,000,000		Inouye
RDTE,DW	Helicopter Cable Warning and Obstacle Avoidance	$1,200,000	Harman	Isakson
RDTE,DW	Heterogeneous Gallium Nitride/Silicon Microcircuit Technology	$1,600,000	Lungren	
RDTE,DW	High Efficiency Solar Energy Generation and Storage	$800,000	Jackson-Lee (TX)	
RDTE,DW	High Performance Computational Design of Novel Materials	$3,120,000		Cochran; Wicker
RDTE,DW	High Performance Tunable Materials—Combinatorial Development of Advanced Dielectrics	$3,600,000	Pomeroy	Conrad; Dorgan
RDTE,DW	High Speed Optical Interconnects for Next Generation Supercomputing	$1,200,000	Dent	Specter

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,DW	High Speed, High Volume Laboratory Network for Infectious Disease	$1,600,000		Boxer
RDTE,DW	Hydrogen Fuel Cell Research	$4,000,000	Clyburn	
RDTE,DW	IASTAR Federal Information Security Management Act Compliance	$1,600,000		Bond
RDTE,DW	IdentClarity-Identity Resolution	$1,440,000		Lincoln; Pryor
RDTE,DW	Improving Support to the Warfighter	$7,000,000	Lewis (CA)	
RDTE,DW	Independent Advisory Group to Review Ballistic Missile Defense Training Needs	$500,000	Lamborn	
RDTE,DW	Initiative to Advance Adaptive Petascale Supercomputing	$8,000,000	Ruppersberger; Wu	Alexander; Corker
RDTE,DW	Inland Empire Perchlorate Remediation	$3,500,000		Boxer
RDTE,DW	Institute for Collaborative Sciences Research	$2,080,000	Diaz-Balart, Lincoln (FL); Meek; Wasserman Schultz	Nelson (FL)
RDTE,DW	Institute of Advanced Flexible Manufacturing Systems	$7,000,000		Byrd
RDTE,DW	Integrated Analysis Environment	$2,000,000	Moran (VA)	Warner; Webb
RDTE,DW	Integrated Cryo-cooled High Power Density Systems	$3,200,000	Boyd	Nelson (FL)
RDTE,DW	Integrated Rugged Checkpoint Container	$2,000,000	Taylor	Cochran; Wicker
RDTE,DW	Intelligence, Surveillance, and Reconnaissance Global Sensors Architecture	$1,600,000	Young (FL)	
RDTE,DW	Intelligent Explosives Detection	$3,200,000	Bartlett; Ruppersberger; Sarbanes	Cardin
RDTE,DW	Intelligent Remote Sensing for Urban Warfare Operations II	$1,200,000	Sestak	Casey
RDTE,DW	InVitro Models for Biodefense Vaccines	$1,520,000	Brown, Corrine (FL)	Nelson (FL)
RDTE,DW	Joint Gulf Range Complex Test and Training	$2,400,000	Miller (FL)	
RDTE,DW	Joint Robotics Training Program	$2,000,000	Clyburn	
RDTE,DW	Joint Services Aircrew Mask Don/Doff Inflight Upgrade	$2,400,000	Castle	Carper; Kaufman
RDTE,DW	Laboratory for Advanced Photonic Composites Research	$1,280,000	Barrett	
RDTE,DW	Laser Ablation Resonance Ionization Mass Spectrometer	$2,400,000	Polis	
RDTE,DW	Lifetime Power for Wireless Control Sensors	$800,000	Altmire	
RDTE,DW	Lithium-ion Battery Safety Detection and Control of Impending Failures	$1,500,000	Carson	Lugar
RDTE,DW	Low Cost Stabilized Turret	$800,000	Crenshaw	
RDTE,DW	Man Portable Sensors for Dismounted Reconnaissance	$2,000,000		Mikulski
RDTE,DW	MARCENT Thermal Imaging Suite	$3,000,000		Gregg
RDTE,DW	Material, Design and Fabrication Solutions for Advanced SEAL Delivery System External Structural Components	$2,000,000	Simpson	Crapo; Risch
RDTE,DW	MEMS Sensors for Real-Time Sensing of Weaponized Pathogens	$2,000,000	Biggert; Lipinski	
RDTE,DW	Military/Law Enforcement Counterterrorism Test Bed	$2,400,000	Young (FL)	
RDTE,DW	MilTech Expansion Program	$1,600,000	Rehberg	Baucus; Tester
RDTE,DW	Miniature Day Night Sight for Crew Served Weapons	$1,200,000	Sestak	
RDTE,DW	Miniature Divert and Altitude Controls System Thruster	$1,600,000	McKeon	
RDTE,DW	Miniaturized Chemical Detector for Chemical Warfare Protection	$1,600,000	McGovern	
RDTE,DW	Mismatch Repair Derived Antibody Medicines to Treat Staphylococcus-derived Bioweapons	$1,000,000	Sestak	Specter
RDTE,DW	Missile Activity and Characteristics—Releasable	$2,400,000	Perriello	
RDTE,DW	Modeling and Simulation Standards Study	$800,000	Forbes	
RDTE,DW	Morehouse College, John H. Hopps Defense Research Scholars Program	$2,400,000	Lewis (GA); Bishop (GA); Kingston; Scott (GA)	Chambliss; Isakson
RDTE,DW	Mosaic Camera Technology Transition	$1,600,000	Doyle	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,DW	Multiple-Target-Tracking Optical Sensor-Array Technology (MOST)	$4,000,000		Akaka; Inouye
RDTE,DW	Multi-target Shipping Container Interrogation System Mobile Continuous Air Monitor	$1,600,000	Brown, Corrine (FL)	
RDTE,DW	National Center for Blast Mitigation	$1,200,000	Moran (VA)	Warner; Webb
RDTE,DW	National Radio Frequency Research, Development and Technology Transfer	$4,000,000	Buyer; Ellsworth	Lugar
RDTE,DW	National Terrorism Preparedness Institute, Anti-Terrorism / Counter-Terrorism Technology Development and Training	$2,800,000	Young (FL)	
RDTE,DW	Next Generation Manufacturing Technologies Initiative	$1,600,000	Loebsack	Grassley; Harkin
RDTE,DW	NIDS Handheld Common Identifier for Biological Agents	$2,400,000	Castle	Carper; Kaufman
RDTE,DW	Non-Gasoline Burning Outboard Engine	$1,520,000	Mollohan; Wilson (SC)	
RDTE,DW	Northwest Manufacturing Initiative	$2,000,000	Blumenauer; DeFazio; Schrader; Walden; Wu	Merkley; Murray; Wyden
RDTE,DW	Omni Directional Relay and Conformal Antenna	$2,500,000		Mikulski
RDTE,DW	Optical Surveillance Equipment	$2,000,000	Duncan	
RDTE,DW	Pacific Data Conversion and Technology Program	$2,000,000		Akaka
RDTE,DW	Pacific Region Interoperability Test and Evaluation Capability	$3,300,000		Inouye
RDTE,DW	PaintShield for Protecting People from Microbial Threats	$2,000,000	Fudge; Jackson	Brown; Voinovich
RDTE,DW	Partnership for Defense Innovation Wi-Fi Laboratory Testing and Assessment Center	$2,800,000	Kissell; Etheridge; McIntyre	Burr
RDTE,DW	Personalized Medicine Initiative	$2,400,000	Edwards (MD)	
RDTE,DW	Photovoltaic Ribbon Solar Cell Technology Project	$2,880,000	Hinchey	Schumer
RDTE,DW	Picoceptor and Processor for Man-portable Threat Warning	$3,200,000		Gregg
RDTE,DW	Playas Training and Research Center	$3,200,000	Teague	Bingaman; Udall (NM)
RDTE,DW	Portable Device for Latent Fingerprint Identification	$1,440,000	Smith (WA)	Murray
RDTE,DW	Portable Rapid Bacterial Warfare Detection Unit	$4,000,000	Latham; Boswell	Grassley; Harkin
RDTE,DW	Potent Human Monoclonal Antibodies Against BoNT A, B and E Suited for Mass Production and Treatment of Large Populations	$1,000,000	Gerlach	
RDTE,DW	Progressive Research for Sustainable Manufacturing	$1,200,000	Rogers (KY)	Bunning
RDTE,DW	Protective Self-Decontaminating Surfaces	$1,600,000	Grijalva; Aderholt	
RDTE,DW	Radio Frequency Identification Technologies	$1,000,000	Yarmuth	Bunning; McConnell
RDTE,DW	Radio Inter-Operability System	$1,600,000	Moran (VA)	
RDTE,DW	Random Obfuscating Compiler Anti-Tamper Software	$1,520,000	Michaud	Collins; Snowe
RDTE,DW	Real Time Test Monitoring of Chemical Agents, Chemical Agent Stimulants and Toxic Industrial Chemicals	$1,280,000		Collins
RDTE,DW	Reconnaissance and Data Exploitation (REX) System	$3,500,000		Akaka
RDTE,DW	Recovery, Recycle, and Reuse of DOE Metals for DoD Applications	$1,920,000	Granger	
RDTE,DW	Reduced Cost Supply Readiness	$1,200,000	Lynch	Kerry
RDTE,DW	Regenerative Filtration System for CBRN Defense	$2,700,000	LaTourette	Brown
RDTE,DW	Remote VBIED Detection and Defeat System	$1,200,000	Doyle	
RDTE,DW	Rigid Aeroshell Variable Buoyancy Air Vehicle	$4,000,000	Sherman; Napolitano	
RDTE,DW	Savannah CRTC Training Enabled Maneuver Instrumentation (STEM)	$3,600,000	Kingston	
RDTE,DW	Science, Technology, Engineering and Mathematics Initiative	$1,600,000	Green, Gene (TX); Green, Al (TX); Jackson-Lee (TX)	
RDTE,DW	Sea Catcher UAS Launch and Recovery System	$1,600,000	Sarbanes	
RDTE,DW	Secure, Miniaturized, Hybrid, Free Space, Optical Communications	$1,600,000	Rothman; Lance	Lautenberg; Menendez

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,DW	Security for Critical Communication Networks	$5,600,000	Rothman; Sires	Menendez
RDTE,DW	Security Protection using Ballistic CORE Technology	$3,900,000		Collins
RDTE,DW	Self-Contained Automated Vehicle Washing Systems with Microwave Decontamination	$1,600,000		Johnson
RDTE,DW	Self-decontaminating Polymer System for Chemical and Biological Warfare Agents	$2,800,000	Blunt	Crapo; Risch
RDTE,DW	Semiconductor Photomask Technology Infrastructure Initiative	$1,600,000	Tauscher	
RDTE,DW	Shipping Container Security System Field Evaluation	$3,600,000		Reid
RDTE,DW	Small Craft Threat Identification Program	$1,200,000	Pingree (ME)	Collins; Snowe
RDTE,DW	Smart Bomb Targeting Radar System	$2,320,000		Cochran; Wicker
RDTE,DW	SOC–R Armor Development for Small Arms Armor Piercing Ammo	$2,480,000		Cochran; Wicker
RDTE,DW	Solid Oxide Fuel Technology	$1,000,000	Clyburn	
RDTE,DW	Spintronics Memory Storage Technology	$2,800,000	Lewis (CA)	
RDTE,DW	Strategic Materials	$5,000,000		Inouye
RDTE,DW	Superconducting Quantum Information Technology	$800,000	Moore (KS)	
RDTE,DW	Synchrotron Beamline Experimental Station	$3,200,000	Clarke; Ackerman; Bishop (NY); McCarthy (NY); Tonko; Towns	Schumer
RDTE,DW	Tactical, Cargo, and Rotary Wing Aircraft Decon	$1,800,000	LaTourette	
RDTE,DW	Technology Applications for Security Enhancement	$3,000,000	Lucas	Inhofe
RDTE,DW	Technology for Shallow Water Special Operation Forces Mobility	$2,880,000	Boyd	Nelson (FL)
RDTE,DW	Thermal Pointer/Illuminator for Force Protection	$1,600,000	Reichert	
RDTE,DW	Thurgood Marshall College Fund Defense Leadership and Technology Initiative	$1,200,000	Bishop (GA)	
RDTE,DW	Tidewater Full Scale Exercise	$2,320,000	Forbes	Warner; Webb
RDTE,DW	Tiger Moth Air-Launched Off Board Sensing Small Unmanned Aerial System	$1,600,000		Lugar
RDTE,DW	Total Perimeter Surveillance	$1,600,000	Schauer	Levin; Stabenow
RDTE,DW	Transformer Technology for Combat Submersibles	$3,600,000	Ros-Lehtinen; Bishop (NY)	Schumer
RDTE,DW	Trusted Foundry	$10,000,000		Gillibrand; Leahy; Schumer
RDTE,DW	Tunable MicroRadio for Military Systems	$5,600,000		Conrad; Dorgan
RDTE,DW	UAV Directed Energy Weapons Systems Payloads	$1,000,000	Tiahrt	
RDTE,DW	UAV Systems and Operations Validation Program	$2,320,000	Teague	Bingaman; Udall (NM)
RDTE,DW	UAV/UAS Test Facility	$2,400,000	Cole	Inhofe
RDTE,DW	Ultra Low Profile EARS Gunshot Localization System	$1,200,000	Moran (VA)	
RDTE,DW	Undersea Special Warfare Engineering Support Office	$2,000,000		Inouye
RDTE,DW	Under-Vehicle Inspection System	$2,400,000	Young (AK); Bishop (UT)	Begich; Bennett; Murkowski
RDTE,DW	Unified Management Infrastructure System	$800,000	Schakowsky	
RDTE,DW	United States Special Operations Command—USSOCOM/STAR-TEC Partnership Program	$1,600,000	Young (FL)	
RDTE,DW	United States Special Operations Command SOCRATES High Assurance Platform Program	$1,000,000	Young (FL)	
RDTE,DW	University Multi-Spectral Laboratories	$2,000,000	Lucas	
RDTE,DW	University Strategic Partnership	$1,920,000	Heinrich	Bingaman; Udall (NM)
RDTE,DW	Vehicle and Dismount Exploitation Radar (VADER)	$4,000,000	Kratovil; Ruppersberger; Sarbanes	Cardin; Mikulski
RDTE,DW	Vehicle Fuel Cell and Hydrogen Logistics Program	$6,400,000		Levin
RDTE,DW	Water Purification System for Natural Disasters	$800,000		Cochran; Landrieu
RDTE,DW	Wellhead Treatment of Perchlorate Contaminated Wells	$1,600,000	Baca	

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,DW	Woody Biomass Conversion to JP-8 Fuel	$1,280,000	Michaud; Pingree (ME)	Collins; Snowe
RDTE,DW	Wyoming Army National Guard Joint Training and Experimentation Center (JTEC)	$3,760,000		Barrasso
RDTE,DW	X-Band/W-Band Solid State Power Amplifier	$1,000,000	Young (FL)	
RDTE,N	4-D Data Fusion Visualization	$1,600,000		Inouye
RDTE,N	76mm Swarmbuster Capability	$1,600,000	Crenshaw	
RDTE,N	AARGM Counter Air Defense Future Capabilities	$2,000,000	Mollohan	
RDTE,N	Accelerating Fuel Cells Manufacturability	$1,600,000	Slaughter	Schumer
RDTE,N	Adelos Program: Nuclear Security Sensor System	$2,800,000	Rehberg	Baucus; Tester
RDTE,N	Advanced Battery System for Military Avionics Power Systems	$1,600,000	Sherman	
RDTE,N	Advanced Capability Build 12 and 14	$1,600,000	Adler	
RDTE,N	Advanced Composite Manufacturing for Composite High-Speed Boat Design	$1,600,000	Pingree (ME)	Collins; Snowe
RDTE,N	Advanced Composite Maritime Manufacturing	$1,600,000	Castle	Carper; Kaufman
RDTE,N	Advanced Energetics Initiative	$4,000,000	Hoyer	
RDTE,N	Advanced Fluid Controls for Shipboard Application	$3,000,000		Lautenberg; Menendez
RDTE,N	Advanced Fuel Filtration System	$1,200,000	Neal; Frelinghuysen	Kerry; Lautenberg; Menendez
RDTE,N	Advanced Helicopter Landing Aid	$800,000	Rehberg	Tester
RDTE,N	Advanced High Energy Density Surveillance Power Module	$3,200,000		Kohl
RDTE,N	Advanced Linear Accelerator Facility	$960,000	Hill	Lugar
RDTE,N	Advanced Logistics Fuel Reformer for Fuel Cells (Phase II)	$2,400,000	DeLauro	Dodd
RDTE,N	Advanced Manufacturing for Submarine Bow Domes and Rubber Boots	$1,600,000	Crenshaw	Nelson (FL)
RDTE,N	Advanced Molecular Medicine Initiative	$800,000	Schiff; Chu; Dreier	
RDTE,N	Advanced Naval Logistics	$2,400,000		Specter
RDTE,N	Advanced Simulation Tools for Composite Aircraft Structures	$1,600,000	Clay	Bond
RDTE,N	Advanced Steam Turbine	$4,000,000	Massa; Olver; Tsongas	Kerry; Kirk; Schumer
RDTE,N	Aegis Research and Development	$4,000,000	Miller, Gary (CA)	
RDTE,N	Agile Port and High Speed Ship Technology	$1,600,000	Sánchez, Linda (CA)	
RDTE,N	Aging Military Aircraft Fleet Support	$1,600,000	Tiahrt	Brownback; Roberts
RDTE,N	Air Readiness/Effectiveness Measurement Program	$1,600,000	Moran (VA); Nye	
RDTE,N	AN/SLQ—25D Integration	$6,400,000	Murtha	
RDTE,N	Arc Fault Circuit Breaker with Arc Location	$800,000	Matheson	Bennett; Hatch
RDTE,N	Artificial Intelligence—Based Combat System Kernel	$3,200,000	Kennedy	Reed
RDTE,N	Assistive Technologies for Injured Service Members	$800,000		Nelson (FL)
RDTE,N	Automated Fiber Optic Manufacturing Initiative for Navy Ships	$2,000,000	Nye; Tsongas	Kerry; Kirk; Warner; Webb
RDTE,N	Automated Missile Tracking	$800,000	Moran (VA)	
RDTE,N	Autonomous Anti-Submarine Warfare Vertical Beam Array Sonar	$1,600,000	Miller (NC); Coble	Burr
RDTE,N	Autonomous Marine Sensors and Networks for Rapid Littoral Assessment	$2,400,000	Young (FL)	
RDTE,N	Autonomous Unmanned Surface Vehicle	$2,700,000		Akaka
RDTE,N	Autonomous UUV Delivery and Communication System Integration	$3,600,000	Dicks	Murray
RDTE,N	Avionics Life Extension	$800,000	Edwards (TX)	
RDTE,N	Battlefield Sensor Netting	$2,400,000	Young (FL)	
RDTE,N	Biocidal Wound Dressings	$1,200,000		Leahy

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,N	Biosensors for Defense Applications	$800,000	Cao; Melancon; Scalise	Landrieu
RDTE,N	Bow Lifting Body Project	$3,200,000	Kagen; Stupak	Inouye; Levin
RDTE,N	California Central Coast Partnership Research	$2,800,000	McCarthy (CA)	
RDTE,N	Captive Air Amphibious Transporter	$2,200,000		Inouye
RDTE,N	Carbon Composite Thin Films for Power Generation and Energy Storage	$1,600,000		Hutchison
RDTE,N	Center for Assured Critical Application and Infrastructure Security	$1,200,000	Johnson (IL)	
RDTE,N	Center for Autonomous Solar Power—Supercapacitors for Integrated Power Storage	$4,000,000	Hinchey	Gillibrand; Schumer
RDTE,N	Center for Commercialization of Advanced Technology	$2,000,000	Lewis (CA); Davis (CA)	
RDTE,N	Characterization and Exploitation of Magnetic and Electric Fields in the Coastal Ocean Environment	$2,000,000	Klein (FL); Wasserman Schultz; Wexler	Nelson (FL)
RDTE,N	Cognitive Radio Institute	$800,000	Gordon	
RDTE,N	Combustion Light Gas Gun Projectile	$4,000,000		Byrd
RDTE,N	Common Air Mine Countermeasures Tow Cable	$2,400,000	Boyd	
RDTE,N	Common Command and Control System Module	$4,800,000	Langevin; Courtney; Kennedy	Dodd; Lieberman; Reed
RDTE,N	Common Digital Sensor Architecture	$2,400,000	Obey	Kohl
RDTE,N	Common Safety System Controller	$2,400,000	Pastor (AZ)	
RDTE,N	Compliance Tools Development for Metals in Antifouling Paints	$800,000	Bishop (UT); Rehberg	Tester
RDTE,N	Composite Mast for CVNs	$2,960,000		Cochran; Wicker
RDTE,N	Composite Materials Enhancements through Polymer Science R&D	$5,120,000		Cochran; Wicker
RDTE,N	Composite Tissue Transplantation for Combat Wounded Repair	$2,000,000	Lewis (GA)	Chambliss
RDTE,N	Condition-Based Maintenance Enabling Technologies Program	$2,400,000		Byrd
RDTE,N	Conformal Ceramics for Enhanced Aviation Armor Systems	$2,500,000		Chambliss; Isakson
RDTE,N	Continuous Active Sonar for Torpedo DCL Systems	$3,600,000	Courtney	Dodd; Lieberman
RDTE,N	Cooperative Engagement Capability	$4,000,000	Young (FL)	
RDTE,N	Countermine LIDAR UAV-Based Systems	$1,600,000	Taylor	Cochran
RDTE,N	DDG–51 Hybrid Drive System	$8,100,000	Childers	Cochran; Kerry; Kirk; Wicker
RDTE,N	Deployable Command and Control Vehicle	$3,040,000	Boyd	
RDTE,N	Deployment Health and Chronic Disease Surveillance	$800,000	Moran (VA)	
RDTE,N	Detection, Tracking, and Identification for ISRTE of Mobile and Asymmetric Targets	$2,000,000	Abercrombie	Akaka
RDTE,N	Digitization, Integration, and Analyst Access of Investigative Files, NCIS	$1,200,000		Byrd
RDTE,N	Dynamic Eye-Safe Imaging Laser	$800,000	Reichert	
RDTE,N	E–6B Strategic Communications Upgrade	$2,400,000	Fallin; Loebsack; Johnson, Sam (TX)	Harkin; Inhofe
RDTE,N	Electromagnetic Signatures Assessment System Using Multiple Autonomous Undersea Vehicles, Phase III	$2,000,000		Crapo; Risch
RDTE,N	Electronic Motion Actuation Systems	$800,000	Shuler; Bishop (UT)	Bennett; Brown; Hatch; Voinovich
RDTE,N	Energetic Nano-Materials Agent Defeat Initiative	$1,600,000	Rothman; Payne	
RDTE,N	Energetics S&T Workforce Development	$3,500,000	Hoyer	Cardin
RDTE,N	Enhanced EO/IR Sensors	$2,400,000	Hodes	Gregg; Shaheen
RDTE,N	Enhanced Small Arms Protective Insert	$1,600,000	King (NY)	Schumer
RDTE,N	Environmentally Sealed, Ruggedized Avionics Displays	$3,200,000	Butterfield	Burr; Hagan
RDTE,N	EP–3E Requirements Capability Migration Systems Integration Lab	$5,000,000	Edwards (TX)	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,N	Expandable Rigid Wall Composite Shelter	$800,000	Young (AK)	Begich
RDTE,N	Expeditionary Capabilities Laboratory	$2,400,000		Brownback; Roberts
RDTE,N	Expeditionary Swimmer Defense System	$3,200,000		Murray
RDTE,N	F/A–18 Countermeasures Improvement	$4,000,000		Gregg
RDTE,N	Fan Coil Assembly of the Future	$2,720,000		Dodd; Kerry; Kirk; Kohl; Lieberman
RDTE,N	FEATHAR—Fusion, Exploitation, Algorithm, Targeting High-Altitude Reconnaissance	$4,350,000		Bennett
RDTE,N	Fighter Jet Noise Reduction Under Carrier Deck Operational Environment	$2,880,000		Cochran
RDTE,N	Flight/Hangar Deck Cleaner	$1,400,000		Begich
RDTE,N	Floating Area Network Littoral Sensor Grid	$4,000,000	Dicks	
RDTE,N	Flow Path Analysis Tool	$1,600,000	Lewis (CA); McCarthy (CA)	
RDTE,N	Fuel Efficient, High Specific Power Free Piston Engine for USSVs	$1,600,000	Pingree (ME)	Collins; Snowe
RDTE,N	Galfenol Energy Harvesting	$2,800,000	Latham	Grassley; Harkin
RDTE,N	Gallium Nitride (GaN) Power Technology	$1,600,000	Coble	
RDTE,N	Global Law Enforcement Support for Counter-Narcotics	$1,500,000		Burr
RDTE,N	Global Supply Chain Management	$800,000	Bishop (GA)	
RDTE,N	Ground Warfare Acoustical Combat Systems of Netted Sensors	$5,000,000	Boren; Sullivan	Inhofe
RDTE,N	Guidance, Navigation, Control, and Targeting	$4,000,000		Leahy
RDTE,N	Hampton University Proton Cancer Treatment Initiative	$4,000,000	Scott (VA); Moran (VA)	Warner; Webb
RDTE,N	Harbor Shield—Homeland Defense Port Security Initiative	$1,600,000	Kilroy; Langevin	Reed; Voinovich; Whitehouse
RDTE,N	Hawaii National Guard Integrated Information Command System	$1,280,000		Inouye
RDTE,N	Hawaii Technology Development Venture	$10,000,000		Inouye
RDTE,N	HBCU Applied Research Incubator	$800,000	Kilpatrick; Connolly; Cummings; Thompson (MS)	Cochran; Wicker
RDTE,N	Head Attitude Tracking System	$1,600,000		Conrad; Dorgan
RDTE,N	High Density Power Conversion and Distribution Equipment	$1,200,000	Sullivan; Boren	
RDTE,N	High Performance Capabilities for Military Vehicles Project	$1,120,000		Hagan
RDTE,N	High Power Density Motor Drive	$2,880,000	Murphy, Tim (PA)	
RDTE,N	High Power Ultra Lightweight Zinc-Air Battery	$2,000,000	Coble; Kucinich; Sutton	Leahy
RDTE,N	High Temperature Radar Dome Materials	$1,600,000	Giffords	
RDTE,N	High Temperature Superconductor Trap Field Magnet Motor	$800,000	Carter	
RDTE,N	High Torque, Low Speed, Direct Drive Electric Motor Technology	$1,600,000		Durbin
RDTE,N	Highly Conductive Lightweight Aircraft Sealant	$960,000		Burr
RDTE,N	Highly Integrated Siloxane Optical Interconnect for Military Avionics	$800,000	Stupak	Levin; Stabenow
RDTE,N	High-Shock 100 Amp Current Limiting Circuit Breaker	$600,000	Murphy, Tim (PA)	Casey; Specter
RDTE,N	Human Neural Cell-Based Biosensor	$1,100,000		Isakson
RDTE,N	Hybrid Propellant for Medium and Large Caliber Ammunition	$4,000,000	Boyd	
RDTE,N	Hybrid Propulsion/Power Generation for Increased Fuel Efficiency for Surface Combatants	$6,400,000	Sanchez, Loretta (CA); Miller, Gary (CA)	Feinstein
RDTE,N	Image-Based Navigation and Precision Targeting	$640,000	Markey (MA)	Kerry
RDTE,N	Improved Capabilities for Irregular Warfare Platforms	$4,000,000	Hoyer	Cardin
RDTE,N	Improved Kinetic Energy Cargo Round	$800,000	Lee (NY)	Schumer

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,N	Improved Submarine Towed Array Systems	$1,600,000		Reed
RDTE,N	Infrared Materials Laboratory	$2,800,000	Cole	
RDTE,N	Instrumented Underwater Training Systems	$2,240,000	Ros-Lehtinen	
RDTE,N	Integrated Advanced Ship Control	$1,200,000	Tierney	Kerry
RDTE,N	Integrated Condition Assessment and Reliability Engineering	$800,000	Connolly	
RDTE,N	Integrated Manifold and Tube Ceramic Oxygen Generator	$4,800,000		Grassley; Harkin
RDTE,N	Integrated Manufacturing Enterprise	$5,000,000		Landrieu; Vitter
RDTE,N	Integrated Manufacturing Systems 3D Simulation and Modeling Project	$2,000,000	Scalise; Melancon	Landrieu
RDTE,N	Integrated Power System Converter	$1,600,000	Murphy, Tim (PA)	Casey; Specter
RDTE,N	Integrated Power System Power Dense Harmonic Filter Design	$1,600,000	Altmire	
RDTE,N	Integrated Psycho-Social Healthcare Demonstration Project	$1,000,000	Young (FL)	Nelson (FL)
RDTE,N	Integration of Advanced Wide Field of View Sensor with Reusable, Reconfigurable Payload Processing Testbed System	$800,000	Holden	
RDTE,N	Integration of Electro-Kinetic Weapons into Next Generation Navy Ships	$4,000,000	Boyd	Nelson (FL)
RDTE,N	Integration of Logistics Information of Knowledge Projection and Readiness Assessment Program	$1,600,000		Byrd
RDTE,N	Intelligent Decision Exploration	$3,900,000		Inouye
RDTE,N	Intelligent Retrieval of Imagery	$2,000,000	Moran (VA)	
RDTE,N	IP over Power Line Carrier Network Integration with ICAS	$1,600,000	McIntyre	
RDTE,N	Joint Explosive Ordnance Disposal Diver Situational Awareness System	$1,600,000	Moran (VA)	
RDTE,N	Joint Heavy-Lift Rotocraft Research	$1,000,000	Hoyer	
RDTE,N	Joint Mission Battle-Space to Support Net-Ready Key Performance Parameters	$2,000,000	Hoyer	Cardin
RDTE,N	Joint Tactical Radio System Handheld Manpack Small Form Factor Radio System	$3,600,000	Wasserman Schultz	
RDTE,N	Joint Technology Insertion and Accelerated System Integration Capability for Electronic Warfare	$1,600,000	Ellsworth	Lugar
RDTE,N	Kinetic Hydropower System Turbine	$1,600,000	Inslee; Engel; Tonko; Towns	Murray; Schumer
RDTE,N	Landing Craft Composite Lift Fan	$1,200,000	Garrett; Dent	Lautenberg; Menendez
RDTE,N	Laser Optimization Remote Lighting System	$2,000,000	Larson (CT)	
RDTE,N	Laser Peening for P–3 Life Extension	$1,280,000		Feinstein
RDTE,N	Laser Phalanx	$12,000,000	Crowley; Bishop (UT)	Bennett; Bunning; Hatch; McConnell; Schumer
RDTE,N	Life Extension of Weapon Systems Through Advanced Materials Processing	$2,500,000	Herseth Sandlin	Johnson; Thune
RDTE,N	Lighter-than-Air Stratospheric Unmanned Aerial Vehicle for Persistent Communications Relay and Surveillance	$2,400,000	Lamborn	
RDTE,N	Lightweight Composite Structure Development for Aerospace Vehicles	$2,400,000	Sullivan	Inhofe
RDTE,N	Lithium Ion Storage Advancement for Aircraft Applications	$2,000,000	Blunt	
RDTE,N	Low Acoustic and Thermal Signature Battlefield Power Source	$3,200,000	Rehberg	Baucus; Tester
RDTE,N	Low Frequency Active Towed Sonar System Organic ASW Capability	$1,600,000	Crenshaw	
RDTE,N	Low Signature Defensive Weapon System for Surface Combatant Craft	$3,840,000	Hinchey	Schumer
RDTE,N	M230 30mm Chain Gun Automatic Cannon	$3,760,000		Reid
RDTE,N	Magnetic Refrigeration Technology for Naval Applications	$4,000,000	Baldwin	Kohl
RDTE,N	Maintenance Free Operating Period	$2,000,000	Moran (VA)	
RDTE,N	Maintenance Planning and Assessment Technology Insertion	$1,200,000	Brady (PA)	
RDTE,N	Management of Lung Injury by Micronutrients	$1,200,000	Meeks (NY)	Schumer

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,N	Managing and Extending DoD Asset Lifecyles	$1,600,000	Abercrombie	Akaka
RDTE,N	Manufacturing S&T for Next-Generation Energetics	$5,000,000	Hoyer	
RDTE,N	Marine Air-Ground Task Force Situational Awareness	$2,700,000		Inouye
RDTE,N	Marine Corps Cultural and Language Training Platform	$640,000	Maffei	Schumer
RDTE,N	Marine Expeditionary Rifle Squad Reconfigurable Vehicle Simulator	$2,400,000	Rehberg	Baucus; Tester
RDTE,N	Marine Mammal Awareness, Alert and Response Systems	$2,400,000	Abercrombie	
RDTE,N	Marine Mammal Detection System	$2,000,000	Smith (NJ)	Lautenberg; Menendez
RDTE,N	Marine Personnel Carrier Support System	$2,400,000	Kennedy	Reed
RDTE,N	Marine Species Mitigation	$2,295,000	Brown, Corrine (FL)	Nelson (FL)
RDTE,N	Maritime Directed Energy Test and Evaluation Center	$1,200,000		Inouye
RDTE,N	Measurement Standards Research and Development	$5,800,000	Calvert	
RDTE,N	Media Exploitation Tool Integration with Intelligence C2 Systems	$1,200,000	Kosmas	
RDTE,N	METOC Integrated Network-Centric Technology Systems	$2,600,000		Vitter
RDTE,N	Micro-Drive for Future HVAC Systems	$1,920,000	Moore (WI)	Kohl
RDTE,N	Military Upset Recovery Training	$800,000	Lee (NY)	Schumer
RDTE,N	Millimeter Wave Imaging	$1,360,000	Castle	Carper; Kaufman
RDTE,N	Mobile Modular Command Center (M2C2)	$2,800,000		Inouye
RDTE,N	Mobile, Oxygen, Ventilation and External Suction (MOVES) System	$2,720,000	Granger; Johnson (TX)	Cornyn
RDTE,N	Modular Advanced Vision System	$1,600,000	Carney	
RDTE,N	Mold-in-Place Coating Development for the US Submarine Fleet	$2,000,000	Taylor	Cochran; Wicker
RDTE,N	Molten Carbonate Fuel Cell Demonstrator	$3,600,000		Dodd; Lieberman
RDTE,N	Moving Target Indicator Scout Radar	$800,000	Johnson, Sam (TX); Hall (TX); Johnson, Eddie Bernice (TX)	
RDTE,N	Multi-Element Structured Filter Arrays for Naval Platforms	$3,440,000	Bonner	
RDTE,N	Multifunctional Materials, Devices, and Applications	$1,600,000	Kilroy	
RDTE,N	Multi-Mission Unmanned Surface Vessel	$2,000,000	Granger	
RDTE,N	Multivalent Dengue Vaccine Program	$1,280,000	Brown (SC)	Graham
RDTE,N	Nanofluidic Lubricants for Increased Fuel Efficiency in Heavy Duty Vehicles	$1,200,000	Price (NC)	
RDTE,N	Nanotechnology for Anti-Reverse Engineering	$2,400,000	Boozman	Lincoln; Pryor
RDTE,N	National Aviation Enterprise Interoperability with Carrier Strike and Expeditionary Group Forces	$5,000,000	Hoyer	Cardin; Mikulski
RDTE,N	National Functional Genomics Center Collaborating Site	$3,200,000	Holden	
RDTE,N	National Initiatives for Applications of Multifunctional Materials	$2,000,000		Hutchison
RDTE,N	National Shipbuilding Research Program Advanced Shipbuilding Enterprise	$3,200,000		Sessions; Wicker
RDTE,N	NAVAIR High Fidelity Oceanographic Library	$2,400,000	Rehberg	
RDTE,N	NAVAIR Project for Land/Sea-Based Air Systems Maintenance and Air Worthiness	$2,000,000	Conyers; Dingell; Levin	Levin; Stabenow
RDTE,N	Naval Advanced Electric Launcher System	$2,000,000		Bond
RDTE,N	Naval Ship Hydrodynamic Test Facilities	$3,200,000	Van Hollen	Cardin
RDTE,N	Navy Advanced Threat Simulator	$1,600,000	McCarthy (CA)	
RDTE,N	Navy Special Warfare Performance and Injury Prevention Program for Special Boat Team 22	$2,000,000	Taylor	Cochran; Wicker
RDTE,N	NAWCWD Point Mugu Electronic Warfare Laboratory Upgrade	$3,200,000	Gallegly	
RDTE,N	Near Infrared Optical Augmentation System	$1,600,000	Moran (VA)	

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,N	Next Generation Electronic Warfare Simulator	$1,600,000	McCarthy (CA); Ruppersberger	
RDTE,N	Next Generation Manufacturing Processes and Systems	$1,200,000	Smith (TX)	
RDTE,N	Next Generation Scalable Lean Manufacturing Initiative—Phase Two	$2,400,000	Young (FL)	
RDTE,N	Next Generation Shipboard Integrated Power—Fuel Efficiency and Advanced Capability Enhancer	$1,600,000	Bartlett	
RDTE,N	Non Traditional Ballistic Fiber and Fabric Weaving Application for Force Protection	$2,000,000	LoBiondo; Andrews; Rothman	Lautenberg; Menendez
RDTE,N	Non-Gasoline Burning Outboard Engine	$1,520,000	Boyd	
RDTE,N	Non-Lethal Defense Technologies	$2,320,000	Murtha	
RDTE,N	NSWC Corona Item Unique Identification Center	$1,440,000	Calvert	
RDTE,N	ONAMI Nanoelectronics, Nanometrology and Nanobiotechnology Initiative	$3,840,000	Wu; Blumenauer; DeFazio; Schrader; Walden	Merkley; Wyden
RDTE,N	On-Demand Custom Body Implants/Prosthesis for Injured Personnel	$1,600,000	Dingell; Levin	Levin; Stabenow
RDTE,N	Open Source Naval and Missile Database Reporting System	$1,920,000	Dicks	
RDTE,N	Organic Submarine IRST Demonstration (ISRT OSAID)	$2,400,000		Reed
RDTE,N	Out of Autoclave Composite Processing	$2,000,000	Clay	Bond
RDTE,N	Pacific Airborne Surveillance and Testing	$17,000,000		Inouye
RDTE,N	Paragon (Frequency Extension)	$2,400,000	Connolly; Moran (VA)	
RDTE,N	Passive RFID Development	$900,000	LaTourette	
RDTE,N	Permanent Magnet Generator—Wave Energy Buoy	$1,920,000	Schrader	Merkley; Wyden
RDTE,N	Persistent Autonomous Maritime Surveillance	$5,000,000	Rogers (KY)	
RDTE,N	Persistent Surveillance Wave Powerbuoy System	$3,200,000	Holt	Lautenberg; Menendez
RDTE,N	Photonic Integration Foundry	$2,400,000		Casey; Specter
RDTE,N	Photovoltaic Rooftop Systems for Military Housing	$1,200,000	Peters; Schauer	Levin
RDTE,N	Precision Engagement Technologies for Unmanned Systems	$2,000,000	Ehlers	Levin
RDTE,N	Productization of Anti-fouling and Fouling Release Coating Systems	$2,800,000	Pomeroy	Conrad; Dorgan
RDTE,N	Propulsion Manufacturing Technology Development	$3,760,000		Cochran; Wicker
RDTE,N	Proton Exchange Membrane Fuel Cell for Underwater Vehicles	$1,600,000		Lieberman
RDTE,N	Pure Hydrogen Supply from Logistic Fuels	$2,400,000	Murphy, Patrick (PA)	Casey
RDTE,N	Quiet Drive Advanced Rotary Actuator	$1,600,000	Sestak; Harman; Higgins; Lee (NY); Sherman; Slaughter	Schumer; Warner; Webb
RDTE,N	Real-time Tactical Intelligence Collection System	$1,200,000	Kennedy; Sarbanes	Cardin; Mikulski
RDTE,N	Regenerative Fuel Cell Back-up Power	$1,360,000	Larson (CT)	Dodd
RDTE,N	Remote Aiming and Sighting Optical Retrofit	$3,040,000	Granger; Johnson (TX)	
RDTE,N	Semi-Submersible UUV for Sensor Enhancements	$1,400,000	Alexander	Vitter
RDTE,N	Sensor Integration Framework	$1,440,000	Boyd	Nelson (FL)
RDTE,N	Ship Model Testing	$2,000,000	King (NY)	Gillibrand; Schumer
RDTE,N	Shipboard Automated Radio Room System	$1,600,000		Lautenberg; Menendez
RDTE,N	Shipboard Wireless Maintenance Assistant	$1,200,000	Schauer; Dingell	Levin
RDTE,N	Shipboard Wireless Network	$2,400,000	Rothman	
RDTE,N	Shock and Vibration Modeling of Marine Composites	$1,920,000	Towns	Schumer
RDTE,N	Silicon Carbide Wafer Production—Process Development for Low Defect Power Electronics	$1,200,000	Hinchey	Schumer
RDTE,N	Simplified Orthopedic Surgery	$4,240,000		Nelson (NE)
RDTE,N	Single Generator Operations Lithium Ion Battery	$4,000,000		Lugar; Reid

DEFENSE—Continued
[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
RDTE,N	Small Survivable Jammer	$800,000		Feinstein
RDTE,N	Smart Instrument Development for the Magdalena Ridge Observatory	$4,000,000	Teague	Bingaman; Udall (NM)
RDTE,N	Solar Heat Reflective Film for Energy and Fuel Efficiency in Buildings and Vehicles	$3,920,000		Sessions
RDTE,N	Sonobuoy Wave-Energy Module	$800,000	Alexander	Landrieu; Vitter
RDTE,N	SPAWAR Systems Center/ITC New Orleans	$3,200,000	Cao; Scalise	Landrieu; Vitter
RDTE,N	SSBN(X) Systems Development	$2,000,000	Wittman	
RDTE,N	Strike Weapon Propulsion	$3,200,000	Barton	
RDTE,N	Submarine Automated Test and Re-Test	$2,000,000	Moran (VA)	
RDTE,N	Submarine Environment for Evaluation and Development	$2,400,000		Reed
RDTE,N	Submarine Fatline Vector Sensor Towed Array	$1,600,000	Kratovil	Cardin
RDTE,N	Submarine Navigation Decision Aids	$4,000,000	Murtha	
RDTE,N	Submarine Panoramic Awareness System	$800,000	Sherman	
RDTE,N	Submarine System Biometrics Access Control	$2,000,000	Rogers (KY)	Bunning
RDTE,N	Supply Chain Logistics Capability at the ABL NIROP	$6,400,000		Byrd
RDTE,N	Tactical High Speed Anti-Radiation Missile Propulsion Demonstration	$1,520,000	McKeon; Connolly	
RDTE,N	Technology Transfer Office	$1,500,000	Hoyer	Mikulski
RDTE,N	Texas Microfactory	$1,600,000		Hutchison
RDTE,N	Thin Film Materials for Advanced Applications, Advanced IED and Anti-Personnel Sensors	$1,280,000		Leahy
RDTE,N	Tomahawk Cost Reduction Initiative	$3,280,000	Bishop (UT)	Bennett; Hatch; Levin; Stabenow
RDTE,N	Trusted Discovery/Universal Description Discovery and Integration UDDI	$5,000,000		Conrad; Dorgan
RDTE,N	U.S. Navy Cancer Vaccine Program	$2,400,000	Jones (NC); Miller, Gary (CA)	Landrieu
RDTE,N	U.S. Navy Pandemic Influenza Vaccine Program	$1,600,000	McHugh	Gillibrand; Schumer
RDTE,N	Underwater Explosion Modeling and Simulation for Ohio Class Replacement Composite Non-Pressure Hull Fairing	$2,000,000	Perriello	
RDTE,N	Underwater Explosives and Warhead Research	$3,000,000	Hoyer	
RDTE,N	Underwater Imaging and Communications Using Lasers	$2,000,000	Wexler; Wasserman Schultz	Nelson (FL)
RDTE,N	Unmanned Undersea Vehicle Submerged Long Range Positioning	$800,000		Landrieu
RDTE,N	Unmanned Vehicle Sensor Optimization Technologies Program	$2,400,000		Byrd
RDTE,N	Vet-Biz Initiative for National Sustainment	$4,000,000	Salazar	Udall (CO)
RDTE,N	Virtual Business Accelerator for the Silicon Prairie	$1,600,000		Nelson (NE)
RDTE,N	Virtual Onboard Analyst for Multi-Sensor Mine Detection	$1,200,000		Inouye
RDTE,N	Voyage Repair Team Tool Management	$1,200,000	Adler	
RDTE,N	Warfighter Rapid Awareness Processing Technologies	$4,500,000		Akaka
RDTE,N	Wave Energy Harvesting for Buoy Applications	$1,600,000		Reed
RDTE,N	Waves, Wind and Scavengers: Next Generation Renewable Energy Systems for Naval Applications	$2,000,000		Bond
RDTE,N	Weapon Acquisition and Firing System	$2,400,000	Kennedy	Reed; Whitehouse
RDTE,N	Wide Area Sensor Force Protection Targeting	$1,600,000	Bean	
RDTE,N	Wireless Sensors for Navy Aircraft	$2,400,000		Leahy
RDTE,N	Workforce Requirements Planning—Team Enhancement	$800,000	Inslee	
RDTE,N	X–49A Envelope Expansion Modifications	$3,600,000	Brady (PA); Andrews; Castle; Higgins; Larson (CT); Sestak; Slaughter	Schumer

DEFENSE—Continued

[Congressionally Directed Spending Items]

Account	Project	Amount	Requester(s)	
			House	Senate
WP,N	Allegany Ballistics Laboratory Facility Restoration Plan	$9,500,000		Byrd
WP,N	Intelligent Graphics Torpedo Test Set Troubleshooting Maintainers Aid	$4,000,000	Dicks	
WP,N	Lightweight Torpedo P5U Test Equipment Modernization	$3,840,000	Dicks	
WP,N	MK–110 57mm Naval Gun	$2,000,000		McConnell
WP,N	MK–38 Minor Caliber Gun System	$3,000,000		McConnell
WTCV,A	Arsenal Support Program Initiative at Rock Island Arsenal	$7,600,000	Hare; Braley	Burris; Durbin; Grassley; Harkin
WTCV,A	Arsenal Support Program Initiative at Watervliet Arsenal	$6,400,000	Tonko	Gillibrand; Schumer
WTCV,A	M24 Sniper Weapons System Upgrade	$2,400,000	Arcuri	Schumer

Though clause 9(b) of rule XXI of the Rules of the House of Representatives technically only applies to conference reports, the following is a list of congressional earmarks, limited tax benefits, or limited tariff benefits that were neither (1) included in the House bill or Senate amendment on H.R. 3326, nor (2) in a report of a committee of either House on this bill or on a companion measure.

[Congressionally Directed Spending Items]

Agency	Account	Project	Amount	Requester(s)	
				House	Senate
National Park Service	Construction	Swain County, NC		Shuler	

I reserve the balance of my time.

Mr. YOUNG of Florida. I yield myself such time as I may consume.

Madam Speaker, I want to congratulate all of the members of the subcommittee for having worked so hard all year long to get this product to where we finally have final passage on the issue.

The House passed this bill 4½ months ago. The Senate passed it in September. It has been a bit of a painful process along the way because a lot of suggestions and a lot of ideas were raised of which we could agree to some and could not agree to others.

Anyway, we have produced what I think is a good package. I may not be as enthusiastic about this one as I have been for many others in the past, but it is a good bill. It does provide what our soldiers, what our sailors, what our marines, and what our airmen need in order to do their jobs and to protect themselves while they're at it.

I would have said ''Coast Guard,'' but we don't have the jurisdiction in this subcommittee for the Coast Guard. Yet we recognize the importance of the United States Coast Guard as well.

The bill is not too much different from the House bill that we passed 4½ months ago. There has had to be some negotiation, obviously, but I think we provided what our soldiers need and what our country needs. There is a 3.4 percent pay raise for the members of our military. It wasn't quite that big when it came to us, but we increased it to give a little more of a substantial pay raise to the members of our military.

There is one point that I was questioned about which I need to make clear: There is no money in this bill to move detainees from Guantanamo or to buy or build new facilities in the United States for detaining Guantanamo detainees. So there is no money in this bill for that purpose.

All in all, it's a good bill and one that I can support enthusiastically. As I think most of the Members know, Madam Speaker, a number of other temporary issues have been added to this bill at the leadership level, and we do not object to that. We think that that is perfectly acceptable. In fact, I think it's a good idea in some of the cases.

I yield to the ranking member on the full committee, who chaired this subcommittee for quite a few years, the gentleman from California (Mr. LEWIS), who has been a major player in our Defense appropriations for years.

Mr. LEWIS of California. I very much appreciate my colleague for yielding.

Madam Speaker, my friend, Mr. MURTHA, has spent some time at Bethesda, and I would like to recognize the contributions that he has made to this bill and to the work he has done with Mr. YOUNG.

Madam Speaker, it has taken months to get to this point but I'm pleased to see that we are finally considering a Defense Appropriations bill to provide funds for the men and women of our armed forces and the national security needs of our country.

We should have been on the House floor months ago—months ago—passing a clean Defense funding bill. Like many Members, I questioned the priorities of the Democrat leadership in moving this year's funding bills, particularly the decision to send the President the Legislative Branch conference report as our first completed bill. It sent an unmistakable signal that the House majority was putting the needs of Congress first and placing the needs of our troops at the end of the line.

I know there has been great temptation to use the Defense bill as the vehicle to carry many unrelated legislative items that could not and would not muster enough support to pass on their own. And while this package before us is far from clean, it's a streamlined version of what was, just a few days ago, shaping up to be the mother of all Christmas tree bills.

It was Chairman OBEY who, on December 18th, 2005 said, and I quote, ''The defense bill ought to be about delivering equipment and supporting our troops. There is something especially outrageous and callous about the willingness of the majority party leadership to allow the Defense Department bill in a time of war to be held hostage to totally unrelated legislative items.''

But that is precisely what we are doing by including a variety of non-defense related legislative provisions in this package. Some items like COBRA, food stamps, and so-called ''poverty guidelines'' have been manipulated in a way to suit the Chairman's purposes for redistributing income in America but do not reflect the agreement reached to garner bipartisan support on this bill.

We are also designating as emergency spending an additional $20 billion worth of program extensions. I'm not arguing that some of these are unworthy but merely pointing out that they should have no place in a defense spending bill. At the very least, we should pay for them honestly rather than continuing to add to our mountain of debt.

More curious to me is the fact that buried within this legislation is an airdropped Member project in the form of bill language authorizing the payment of nearly $13 million to a county in North Carolina. I can only assume that this project meets all of the necessary requirements for congressional projects. No one

seems to know how or why this project was included in this package but it's there in black and white for the world to see.

Also disconcerting is the fact that the underlying defense spending bill fails to include funding needed for additional MRAPS to support the 30,000 troop surge in Afghanistan. My understanding is that the House and Senate majority and minority were in full agreement to funding an additional 4,000 MRAPS—and yet a decision was made at another level—perhaps even at a staff level—to leave this vital funding out of this package. Again, it's a decision like this that causes me to scratch my head and question the priorities of this majority leadership.

At the end of the day, this legislation is far from perfect; I would vote against Division B if given the opportunity. But it is a vast improvement over the massive train wreck that was heading our way earlier this week. I strongly support the underlying defense portion of this package and ask our colleagues to support our troops who are defending freedom at home and abroad.

Mr. CONYERS. Madam Speaker, I rise in opposition to H.R. 3326, the Fiscal Year 2010 Department of Defense Appropriations Act.

The President's announcement last week came as no surprise to me and many of my colleagues; he has consistently stated throughout the Presidential campaign and during his first year in office that he is committed to shifting military resources from Iraq into Afghanistan. Nonetheless, I am disappointed the President has moved ahead with, what I believe to be, an incorrect course of action.

As we move forward in this process, it is imperative that the House consider all options about how to best succeed in Afghanistan. It is in this spirit today that I want to announce the creation of a new ''Peace and Progress in Afghanistan Caucus'' that will give Democrats and Republicans a place to organize and advocate for a new strategy that recognizes the need to redeploy our troops, while strengthening our civilian and diplomatic approaches.

The presence of military troops in Afghanistan is having a detrimental effect on our efforts to secure a lasting peace in the region and diffuse the threat of international terrorism. Our military presence only inflames anti-American resentment.

Only by pursuing a wide-ranging policy that focuses on reorienting the United States' commitment to the Afghan government and people by emphasizing indigenous reconciliation and reconstruction strategies, rigorous regional diplomacy, and swift redeployment of the US military, will we ultimately succeed in Afghanistan.''

I was extremely heartened that two of the three prongs of the President's new strategy focus on a civilian surge and on diplomacy with Pakistan. It is a shame that the funding in this bill will not support these worthy approaches. The President believes that the United States can transform resentment into hope by working with our humanitarian and local government partners on the ground to give the Afghan people access to education, strong civic institutions, and a sustainable, legitimate source of income.

I believe that a new focus on a civilian surge should also empower local NGOs and initiatives that directly benefit the Afghan people, like the highly successful National Solidarity Project, an Afghan-run community development program.

Similarly, if the Pakistani people understand that we are committed to helping secure their safety and prosperity, they will step up their efforts to combat terrorism within their borders. Additionally, I believe we must expand our thinking beyond Pakistan to include other actors and countries that affect the greater region. One of the least discussed aspects of this conflict is the role India must play in promoting regional peace. For years, the Pakistani military and intelligence services have been hesitant to crack down on Taliban militants operating in the tribal regions because they fear the establishment of an Afghan government that would be susceptible to Indian influence. Such a worst case scenario, in their view, would give one of their traditional regional foes a foothold on both their northern and southern borders.

In order to secure a long-term regional peace, the President must engage India and Pakistan to seek a final political agreement on Kashmir. Only when Pakistan feels secure in the south, will the Pakistani army be able to focus its efforts on defeating the Taliban who dwell along the Afghan border.

I look forward to working with the President to promote and expand these critical approaches to securing victory.

The President has committed to ending the war in a responsible manner. Although we disagree on the means being employed to reach that laudable goal at the moment, I believe that I and other pro-peace, pro-national security Members of Congress can help him can craft a successful policy that will bring our troops home as soon as possible.

In the meantime, I will continue to oppose funding a war that emphasizes a heavy military footprint. No amount of additional troops can bring a war with no military solution to an end.

Mr. BLUMENAUER. Madam Speaker, as we enter the final days of 2009, I'm pleased to join my colleagues in Congress to pass a series of bills that will protect jobs, spur employment, and strengthen the ability of families to make it through economic hardship. Among these measures is H.R. 3326, the ''Fiscal Year 2010 Department of Defense Appropriations Act.'' Although I remain extremely frustrated by large portions of this bill that spend too much on the wrong things, I voted for it to provide resources for our troops, including hundreds of Oregonians stationed abroad, and for Oregon's economy.

The bill includes a number of hard-fought provisions that will make a difference for Oregon's economy. Universities like Portland State, Oregon, and Oregon State, local companies like Precision Castparts and our regional manufacturing initiative, the Manufacturing 21 Coalition, will see needed investment in programs to treat traumatic brain injury and develop a skilled workforce. These are the right investments—targeted and timely. Spending billions of dollars on items that the Pentagon doesn't need and the President didn't want takes resources away from addressing the deficit, or from critical investments like our own people.

This bill is also a vehicle for making sure that millions of people can bridge this economic downturn. This legislation ensures that ordinary Americans do not lose unemployment benefits, that the unemployed have access to health care, that doctors in Oregon and around the country are not subjected to the egregious Medicare reimbursement cuts. These efforts demand support.

I look forward to swift enactment of these much-needed provisions. Grinding the legislative process to a halt only short-changes honest Americans. It is my sincere wish that in the New Year we renew a spirit of cooperation in the Senate and across the aisle.

Mr. BRALEY of Iowa. Madam Speaker, I rise today to express my support for the Defense Appropriations Act for FY10 and am glad that it includes extensions of several laws that are set to expire, such as extending unemployment benefits and COBRA health insurance. I am also pleased that it includes important items such as a delay of the scheduled 21 percent cut in Medicare payments to doctors and an extension of highway programs.

I am disappointed, however, that several tax extenders that were passed by the House last week as part of the Tax Extenders Act will not be considered before the end of the year, such as the biodiesel tax credit. Although there has been some discussion to pass these extenders retroactively early next year, Congress' failure to extend the current credit before the end of the year could cause harm to the biodiesel facilities in my District. Unlike other tax extenders, the biodiesel tax credit is liquid and a retroactive tax bill is still not as effective as ensuring the tax credit continues uninterrupted. We not only need to get this extended in the short-term, but we need to come up with a longer-term plan to provide more security for investment in biodiesel which is good for the economy, the environment, and energy security.

I am also concerned that Congress has failed to extend the 1.0 Floor on the Work Geographic Practice Cost Index (GPCI) under Medicare Part B, which expires at the end of this year. This is exactly why we need to address these unfair GPCIs once and for all, which only serve to penalize Iowa medical providers who choose to accept Medicare patients. I have called for a permanent extension of the 1.0 Floor, and I have secured language in the Health Care Reform bill to address geographic disparities in Medicare. However, the current floor is still set to expire at the end of this year. I will continue to urge my colleagues to address this problem through a retroactive fix as soon as possible next year, and through a permanent fix of the unfair geographic adjusters under Medicare.

To help Iowa's farmers, it is also essential to extend the five-year depreciation for farming business machinery and equipment, as well as extensions of provisions encouraging farmers to set aside land for conservation. As we continue to work our way out of the harshest economic climate since the Great Depression, these tax credits will play a tremendous role in encouraging job creation and strengthening Iowa's middle class families. We also need to extend the Research and Development tax credit. By renewing this credit, we are taking meaningful steps to encourage companies to hire Iowa's educated and experienced workers for good-paying 21st century jobs that can't be outsourced.

Thanks again, Madam Speaker, for your leadership. We have gotten a lot accomplished this year, but it is critical that we make the tax extenders package a high priority item. I encourage you to work with the Senate to get this passed into law so that we don't lose

jobs in the industries that rely on these credits at the same time that we are working so hard to create them.

Mr. VAN HOLLEN. Madam Speaker, I rise in support of the 2010 Department of Defense Appropriations Act.

This measure represents Congress's commitment to the millions of dedicated men and women, in and out of uniform, throughout the Department of Defense, who work to address the national security challenges of the country. This bill also expresses our commitment to their families, whose service to the country is recognized and greatly appreciated.

In total, the act appropriates $636.3 billion for DoD programs, operations and troop support. This represents a 2 percent increase of current funding levels, and while not including funding for the President's proposed troop increase in Afghanistan, includes $128.2 billion for military operations in Iraq and Afghanistan.

The bill contains funds to meet the logistical needs of our military including new and updated equipment, combat vehicles and battle gear. The measure also includes funding for military pay raises, military health care benefits and quality of life improvements for the troops and their families.

Since first clearing this chamber in July, there have been important add-ons made to the bill. These add-ons include a number of non-defense provisions—such as an extension of certain emergency unemployment insurance benefits; an extension of a 65 percent premium subsidy for COBRA health insurance, allowing recipients to obtain the subsidized insurance coverage for six additional months; a delay, until February, of a scheduled 21 percent cut in Medicare payments to doctors; funding for nutrition assistance; and $400 million for state administrative expenses.

Additionally, I am especially pleased that today's DoD Appropriations bill includes an unprecedented fund of $300 million set aside for the purpose of mitigating BRAC-related transportation and community impacts at the new Walter Reed National Military Medical Center and Fort Belvoir. Congress is committed to building world class facilities for our wounded warriors in the national capital region, and these funds are an integral part of that effort. I want to thank Congressman MORAN, Chairman MURTHA, and Chairman OBEY, as well as Senator MIKULSKI and Senator CARDIN, for their partnership on this initiative. I look forward to working. with our Senate colleagues, the Department of Defense, and other stakeholders to make these funds available for their intended purpose at the soonest possible date.

Madam Speaker, as the country prepares to ask even more of our service members, it is our responsibility to do all we can to honor our commitments to them and their families—While we can never fully repay the debt we owe them, we can work to ensure that they have the resources they need to do their jobs abroad and the resources they need to meet their obligations here at home.

I encourage my colleagues join me in support of the bill.

Mr. YOUNG of Alaska. Madam Speaker, I rise to discuss the $2.4 million that was included at my request in the FY10 Defense Appropriations Bill for Synthetic Liquid Fuels.

Considering the large amounts of potential CO_2 emissions produced by a coal or a natural gas-to-liquids facility, technologies will have to be developed to ascertain the feasibility of sequestering the CO_2.

Recent investigations by the U.S. Department of Energy have shown that between 8 and 12 billion barrels of additional oil can be recovered from the existing Alaska North Slope oil fields with using CO_2 enhanced oil recovery technology. Alaska North Slope oil reservoirs present a potentially large target or ''sink'' for sequestering the CO_2 generated in a Fairbanks-based coal-to-liquids or a coal/gas-to-liquids plant, thereby enhancing conventional oil recovery as a by-product. However, very little practical study of CO_2 sequestration has directly addressed the Alaska North Slope area. Moreover, in the present case, effective CO_2 sequestration is highly dependent on the technologically and economically-feasible transportation of CO_2 from the Fairbanks source to the Alaska North Slope. Additionally, for the Alaska Natural Gas Pipeline proposed to bring the Alaska North Slope natural gas to world markets, to be successful, accommodation for the handling of about 480 mmscf CO_2/day, assuming 4 bscf/day of natural gas, from the Prudhoe Bay Unit must be considered.

The study paid for by these monies would investigate the feasibility of gathering, delivering and utilizing the resultant CO_2 from the plant for enhanced oil recovery on the North Slope of Alaska, thereby simultaneously sequestering CO_2 and increasing domestic oil production. If this proves feasible, the construction of the proposed would supply the U.S. military with domestically produced synthetic fuel and greatly increase U.S. oil production from existing oil fields.

Mr. MICA. Madam Speaker, although I voted ''yes'' in support of H.R. 3326, the Defense Appropriations Bill, and consider myself a strong advocate for those in military service to our nation, I want to express my opposition to funds appropriated in this measure to move and house Terrorists from Guantanamo to Illinois. Having personally visited Guantanamo I can attest that prisoners and detainees have accommodations for better than many seniors, veterans and law—abiding Americans. These terrorists are enemy combatants who committed international acts of war and terror and should not be entitled to our civil or criminal system of justice.

Furthermore after spending nearby half a billion dollars on the Guantanamo facility to now waste a half a billion dollars more on that scum of the earth is a horrible insult to all Americans and every taxpayer. When you think that this administration cannot possibly come up with another dramatic waste of public funds it seems today in this rarified air in Washington one never ceases to be stunned and annoyed.

Unfortunately, the wasteful action and insult relating to Guantanamo is only one of a number of unacceptable provisions that have been tucked into the Defense Appropriations Bill.

Mr. FRELINGHUYSEN. Madam Speaker, I want to echo the comments of my Ranking Members, Mr. YOUNG and Mr. LEWIS. This is a good bill, thanks to the hard work of our Chairman JACK MURTHA, his Ranking Member BILL YOUNG and their capable staffs.

Clearly, had I written the bill, I would have written it differently in certain areas. (I certainly would not have tacked on a record increase in the debt limit!)

My major regret is that we should have done more.

This bill started out $3.5 billion short of the President's request— despite the fact that we are engaged in two, hard-fought wars.

And now, we have a larger mission in Afghanistan involving more soldiers and Marines and a more complex and expensive operations to support and resupply them.

At a time when this Congress has found the 'will and the wallet' to throw billions of borrowed dollars at every domestic program under the sun, our leaders are finding ways to cut defense—sometimes subtle, sometimes blatant.

I tell my Colleagues who have pledged to support a strong national defense, that this bill is the high water mark. It's all downhill from here.

With that said, Madam Speaker, there is much to like in the base bill.

I support reform of our military acquisition processes.

I support Secretary Gates' program to reexamine our national security priorities in light of the new irregular challenges and threats that are proliferating well beyond Iraq and Afghanistan.

I support funding in the bill for: a 3.4 percent pay raise for our troops (all volunteers); over $29 billion to provide first class medical care through our Defense Health program; $15 billion to allow the Navy to build seven ships; funding for more F/A–18 aircraft. We also set the stage for a future multi-year procurement of the F–18 aircraft to begin to close the Navy's ''fighter gap;'' $6.3 billion for 6,600 more lightweight MRAPs for Afghanistan. These vehicles are badly needed as IED's have proliferated;

However, I wish we could find a way to restore the cuts to missile defense and ensure that the F–22 assembly line keeps rolling.

In this context, Madam Speaker, I worry that this Administration is not making the investments today to ensure that we will be prepared to defend our interests against all threats in the years to come.

I must also add that I am very concerned about the Majority's insistence on using this bill, and our troops, to pass unrelated, and sometimes controversial provisions. For example, this bill should not be the vehicle to legislate Medicare doctor's payments, COBRA, Satellite television, nutrition assistance reauthorization, the PATRIOT Act and other provisions.

In closing, I thank Chairman MURTHA and Ranking Member YOUNG for their leadership.

Ms. RICHARDSON. Madam Speaker, I rise in strong support of H.R. 3326, the FY2010 Defense Appropriations Act,'' which provides $636.3 billion in defense funding. This bill keeps faith with our troops and provides the funding needed to ensure they are the best trained, best prepared, best equipped, and best cared for fighting force in the history of the world. That is the least we can do for those who willingly risk their lives to keep us safe.

Madam Speaker, I also support the bill because it makes the needed investments to keep our nation strong, safe, and respected in the world. One of the most important investments is the $2.5 billion in funding provided to build and maintain 10 C–17 Air Force cargo aircraft, which is assembled in my district but serves the nation and helps protect the peace the world over.

I want to thank Chairman MURTHA and Chairman OBEY for working with me to secure

this funding and also for masterly shepherding this legislation to the floor.

Madam Speaker, in my remaining time let me briefly explain why I fight so hard for the C–17, as Chairman MURTHA can attest: Airlift is the enabler of global reach, global power, and global vigilance. This is what makes us a superpower.

The C–17 is the best airlift aircraft in the world because of its ability to fly long distances and land in remote airfields in rough, land-locked regions.

The C–17 is the premier transporter for military, humanitarian and peacekeeping missions because it can:

Take off from a 7,600-ft. airfield, carry a payload of 160,000 pounds, fly 2,400 nautical miles, refuel while in flight and land in 3,000 ft. or less on a small unpaved or paved airfield in day or night.

In addition to the wars in Afghanistan and Iraq, the C–17 has proved its mettle in humanitarian missions to Darfur, Myanmar, China, and Georgia in the former Soviet Union.

The men and women who design and build the C–17 represent a critical component of our nation's industrial base and a workforce that is second to none.

At a time when we are adding to our troop strength in the Army and Marine Corps overall, and expanding our deployment to Afghanistan, it only makes sense to continue production of the C–17, the only program that provides for strategic airlift over the long term.

For California alone, the C–17 program at Long Beach contributes almost 14,000 direct jobs and an economic impact of $2 billion.

In conclusion, Madam Speaker, I support this bill because it restores and enhances the readiness of our troops, equipment, and defense infrastructure. It takes care of our military personnel and their families. And it authorizes the needed investments to keep our nation strong, safe, and respected in the world.

I urge my colleagues to join me in voting for the bill on final passage.

Mr. HOLT. Madam Speaker, I rise in support of this important bill.

To help support our troops and their families, this bill provides a much-deserved 3.4 percent military pay increase, as well as $472.4 million for Family Advocacy programs and full funding for Family Support and Yellow Ribbon to provide support to military families, including quality child care, job training for spouses, and expanded counseling and outreach to families experiencing the separation and stress of war. Additionally, H.R. 3326 provides $29.2 billion ($3 billion above the 2009 level) for the Defense Health Program to provide quality medical care for servicemembers and their including $120 million for Traumatic Brain Injury and Psychological Health Research.

Regarding the Defense Department's operations, I'm pleased that the bill provides $5 billion to allow defense personnel, not contractors, to perform critical department functions. The Department estimates that every position that is converted from contract to federal civilian saves on average $44,000 per year. Additionally, the bill reduces contracted advisory and assistance services by $51 million, and includes general provisions to stop further conversions by the Department of Defense from government functions to contractors. The bill also contains important policy provisions I support, including a bar on the establishment of permanent bases in Iraq or Afghanistan, and the continuation of a general requirement prohibiting the torture of detainees held in U.S. custody.

I am disappointed that we were forced to include in this bill a 60 day extension of three expiring Patriot Act authorities. The very good Patriot Act reform bill reported out of the Judiciary Committee eliminates over-broad surveillance authorities, tightens requirements for the issuance of national security letters, and contains important oversight requirements that will help us protect our people from both potential terrorists and an out-of-control executive branch. That bill should be passed by the House in January 2010 and the Senate should adopt it.

Some non-defense policy items are also attached to this bill, including expanded unemployment benefits, including increased payouts and longer duration of benefits, through February 28, 2010. The bill also extends from nine to 15 months (to February 28, 2010) the 65 percent COBRA health insurance subsidy for individuals who have lost their jobs. The COBRA subsidy extension would help New Jersey families between jobs immediately, as without this subsidy the average New Jersey family would pay $1,156 a month for COBRA coverage, which would consume over two-thirds of their unemployment benefits.

Overall, this bill meets important national security and domestic policy needs, and I urge my colleagues to join me in supporting this bill.

Mr. BOYD. Madam Speaker, I want to thank Chairman MURTHA and Ranking Member YOUNG for their work on the Fiscal Year 2010 Defense Appropriations Act. This bill will ensure that our military members have the equipment, training and resources they need to continue to defend our great nation, particularly in light of the continuing engagements in Iraq and Afghanistan. As a Vietnam veteran, I understand the sacrifices our troops are making and they are never far from my mind in the work I do here.

I specifically want to highlight the section in the bill under consideration today regarding the Combat Air Force restructure plan and thank the Chairman for his work with me on this provision to delay the early retirement of F–15s from Tyndall Air Force Base. I also want to acknowledge and thank the Secretary of the Air Force and the Chief of Staff for their incredible dedication and willingness to resolve this tough issue with me.

This six month delay of the Combat Air Force restructure plan stipulated in H.R. 3326 represents a tremendous legislative victory for Bay County and is the result of a year's worth of efforts by our community. Working together, we have put Tyndall in a strategic position to be a key component of the Air Force's next generation fighter infrastructure. It has been made clear from the very highest levels of the Air Force, from the Chief and Secretary, that Tyndall is a national jewel that plays, and will continue to play, a valuable role in our country's defense.

I also want to thank the people of Bay County, particularly the Bay Defense Alliance, who have been partners with me as we worked together to protect the economic interest of our community and security interests of our country. It is no secret from the halls of Congress to the halls of the Pentagon that the community supporting Tyndall Air Force Base is top notch.

Additionally, I look forward to the results of the reporting requirements in this bill that will help us all better understand the Air Force's fighter requirements and the impact that the drawdown would have on our nation's combat air forces and the communities that support them.

In summary, this bill will make sure that our nation remains the strongest military in the world and I strongly support it.

Mr. ETHERIDGE. Madam Speaker, I am pleased once again to rise in support of H.R. 3326 the Fiscal Year 2010 Defense Appropriations Act. In addition to making important investments to keep the American people safe, strengthen our military, and support our troops, this amended bill makes sure that the American economy is safe, strengthens our recovery, and supports those in need.

As a veteran of the U.S. Army, and the representative of Fort Bragg and Pope Air Force Base, I am proud of our troops who serve our country, and pleased that we are completing our work on funding their efforts in Iraq and Afghanistan, meeting their equipment needs at home, and fulfilling our commitment to our troops and their families. I spoke about many of those provisions when this bill first passed in July.

This amended bill also keeps our commitment to the working men and women of America who deserve support in this economic downturn. As the representative of a state with one of the highest unemployment rates in the nation, I am proud that this bill will provide a degree of economic security for workers who are struggling during this holiday season. Extending benefits for folks who are having trouble finding a job is the right thing to do for families and our recovering economy. The temporary support in this bill will help North Carolinians maintain health care coverage and pay their bills while they get back on their feet and find their next job opportunity.

This bill continues our efforts to get the economy back on track and create jobs. The families who receive extended benefits will be putting money right back into our local economy—buying groceries, filling their cars with gas, and making their mortgage payments on time. The bill also extends improvements to Small Business Administration guaranteed loans so that small businesses can secure the financing they need in these tight economic times. Small business are a major engine of our economy, and are responsible for almost all year-over-year job growth. We must make sure they can get the funding they need to create jobs so we can reduce unemployment and restore our economy.

Madam Speaker, this bill already made sure our Armed forces have the support they need to protect the American people. The amendments we are voting on today also make sure we preserve our economic safety net and promote American prosperity.

I urge my colleagues to join me in support of H.R. 3326.

Mrs. BACHMANN. Madam Speaker, I rise today in support of H.R. 3326, the Fiscal Year 2010 Department of Defense Appropriations Act, as amended by the Senate. However, while I applaud the hard work of House leadership in bringing this much needed legislation to the floor, I regret that an opportunity to more fully address the threat posed by suspected terrorists currently under detention by

the United States government has been missed.

The United States military is responsible for keeping Americans safe. And in light of the challenge that we face in Iraq and Afghanistan, the Federal Government's commitment to our soldiers has never been more important. As such, I'm pleased we're working to ensure that the promises we've made to those who serve in our Armed Forces are kept. Whether it's the 3.4 percent military pay increase or the $104 billion to improve military equipment, I believe we must ensure our troops receive the support they deserve for the great sacrifice they have made by serving our country, and clearly this bill represents a strong show of that support.

However, while H.R. 3326, as passed, is a strong bill, I was disappointed that one of the most troubling issues of the day was not addressed. Critical to ensuring individual Americans' safety is the future treatment of the dangerous enemy combatants housed at the Guantanamo detention facility. Rather than allowing Khalid Sheikh Mohammed to be tried in New York City through our civilian court system and transporting Guantanamo detainees to Thomson Correctional Institution in Illinois, Congress should unequivocally restrict enemy combatants to trial by military commission and permanently deny funding to transport them into our country.

Madam Speaker, we are at a critical juncture in our nation's history. However, as we work to bolster a strong national defense, we cannot ignore the ever-present threat posed by those rogue agents who wish to do us harm. I believe a cornerstone of addressing this threat is to remove the current legal ambiguity with regard to detainee treatment. By trying these detainees in a civilian setting, we are allowing them to exploit our judicial system for personal gain and undermine the work of our military commissions, which have served our nation for centuries.

So while I am pleased to be here on the floor today supporting our troops, it is my sincere hope that the questions surrounding America's prosecution of enemy combatants will be answered in a way that best ensures our national security.

Mr. TIAHRT. Madam Speaker, the base bill of H.R. 3326, the FY2010 Defense Appropriations bill, effectively meets the needs of our men and women in uniform. Although not perfect, H.R. 3326 takes important steps to invest in the people and equipment of the United States Armed Forces. Sadly, Democrat leadership has once again decided to use this vital and non-partisan piece of legislation to enact controversial measures, such as bringing terrorists to U.S. soil.

The United States military is the strongest in the world due to our people, training and equipment. I am happy to say that each of those is strongly supported in this legislation.

Our military men and women are patriots and the world's finest soldiers, sailors, airmen and Marines. Congress has a moral obligation to offer them our thanks and unwavering support. Although we can never fully repay their sacrifice and commitment, H.R. 3326 at least provides a pay raise. The bill provides a 3.4 percent pay raise for all servicemembers, which is 0.5% higher than that proposed by the Obama administration.

Our military and their families deserve the world's finest medical care. H.R. 3326 makes a $30 billion investment to care for sick and wounded servicemembers and their families. This includes $370 million for medical research and $120 million for Traumatic Brain Injury and psychological health research.

The legislation also provides $500 million for family advocacy programs that support military families. With so many servicemen and women deployed overseas, our military families are under particular strain. Whether at Fort Riley or McConnell Air Force Base, Kansas families need this extra assistance when their loved ones are deployed. The bill makes the right investments to ensure they are protected and supported.

Given the diverse roles our military performs—from safeguarding nuclear weapons to fighting terrorists in the jungles of the Philippines—rigorous training is essential to ensure our troops are ready for action and come home safely when the job is done. To achieve this objective, H.R. 3326 provides $154 billion for operations and maintenance accounts. During the 1990s, our nation had a ''hollow military''—filled with people and equipment, but lacking the necessary training and readiness to be successful. We must never allow this to occur again.

Ensuring that our military has the finest equipment available is essential, and H.R. 3326 makes some necessary investments. With funding for the Next Generation Aerial Refueling Aircraft replacement, the Navy's Multi-mission Maritime Aircraft, and additional C–17 aircraft, among many other programs, our troops will have the most advanced equipment to effectively carry out the will of this nation and return home safely. These programs also create high-paying Kansas jobs that we so desperately need.

While this legislation makes the right investments in our fighting men and women and their families, it also includes a dangerous provision for our nation: allowing terrorists detainees currently held at Guantanamo Bay to be brought to the United States.

Terrorists do not belong in the streets or prisons of America. Following the dangerous decision to house unrepentant terrorists in the Midwest, this legislation does nothing to restrict the president's obsession with closing the detention facility at Guantanamo Bay and bringing terrorists to the United States. We have the most secure, state-of-the-art detention and interrogation facility in the world at Guantanamo Bay. That is where the terrorists should remain. They should never be brought to the United States.

Although Democrats continue to play politics with this spending bill, I cannot do the same. Our men and women in uniform deserve the resources to carry out the will of this nation, and this bill provides those. Therefore, I intend to vote for H.R. 3326 and I encourage my colleagues to do the same.

Mr. STARK. Madam Speaker, I rise to oppose yet another increase in war and defense spending. I have never voted for a Defense Appropriations bill. I will not start today. Throwing more money toward a war in Iraq that should never have been started and a war in Afghanistan that should be over diminishes our ability to address the real issues impacting families.

War spending already swallows over 50 percent of our discretionary budget. This bill will add $11 billion to an already bloated Defense budget, as President Obama eyes billions more for a troop increase in Afghanistan.

There are good things in this bill. I helped write provisions that will extend COBRA subsidies and prevent pay-cuts to Medicare physicians. The bill also extends unemployment benefits at a time when Americans are struggling to find jobs. While I support these provisions, I cannot support a bill where the good provisions are dwarfed by the $636.3 billion outlay for defense.

The right priorities for Congress are addressed in another bill we will consider today, the Jobs for Main Street Act (H.R. 2847). This legislation would put people to work rebuilding our country. It would invest in building schools, improving our transit systems, and upgrading our water infrastructure. It would prevent the lay-offs of teachers, police, and firefighters.

The Jobs for Main Street Act also would provide better protections for laid-off workers than the provisions in the Defense bill. It would extend emergency unemployment insurance benefits for an additional six months, and allow millions to maintain health care by expanding the COBRA subsidy to 15 months and extending the eligibility period to June 30th. This is the type of escalation our country needs.

Congress should not be giving more money to the Pentagon to wage war. We should be focused on creating jobs, providing health care for all Americans, and improving our education system. That is why I am voting for the Jobs for Main Street Act and against the wasteful Defense Appropriations bill.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise as a Member of the Foreign Affairs Committee to support House passage H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010. I urge the Congress to support the President's initiatives to terminate or reduce programs that fund narrowly focused activities, duplicate existing programs, or that have outlived their usefulness, specifically including the Kinetic Energy Interceptor program. The Congress is encouraged to adopt proposals made by the administration that would better target scarce resources and redirect funds to programs with greater potential for results.

I believe in a strong procurement approach that takes advantage of the efficiencies associated with an award to a single contractor.

I look forward to working with the Congress to address concerns regarding statutory direction to re-organize certain offices within the Office of the Director of National Intelligence (ODNI), reductions to cyber security programs, and cuts to classified activities in ODNI.

The measure provides more funding for equipment depleted by the wars in Iraq and Afghanistan, special pay raises, and quality of life improvements for the troops and their families. It partially offsets these increases by cutting funding from current levels for missile defense and futuristic programs like the Future Combat System of new vehicles. I support the President in adding more money into the budget for our military families. I am disappointed that this bill appropriates no funds for the closure of the prison at Guantanamo, and blocks the transfer of prisoners. The bill references a detailed plan for the disposition of the detainees to be submitted and I look forward to seeing this plan. It also provides a 3.4% pay increase for military personnel, and a 2% pay raise for civilian federal employees which is vital in maintaining the morale of the

troops and the federal law enforcement personnel that help secure America.

Finally, this bill prohibits the use of funds in the bill to establish permanent military bases in Iraq or U.S. control of Iraqi oil resources.

The bill also continues the prohibition on the use of funds provided for the Iraq Security Forces for the construction of facilities for the Iraqi government.

I support all provisions that require the Defense secretary to report to Congress on troop drawdown status and goals relating to the withdrawal of U.S. forces from Iraq by the end of 2011. The report, which is due 90 days after enactment and every 90 days thereafter, must include the following:

A detailed, month-by-month description of the transition of U.S. military forces and equipment out of Iraq;

A detailed, month-by-month description of the transition of U.S. contractors out of Iraq; and

How the Iraqi government is assuming the responsibility for reconciliation initiatives as the U.S. role transitions.

It is absolutely imperative that the U.S. Congress and the President agree on an eventual drawdown and removal of our forces from Iraq.

I am proud of the support to the military and their children that the FY 2010 Defense Appropriations bill provides. Congress approved a 3.4 percent increase in military pay, 0.5 percent above the Department of Defense request. This bill includes $29.2 billion for medical care for the Defense Health Program, which provides medical care for members of the armed services and their families. Included in the health care funding are $372 million for military medical research and $120 million for Traumatic Brain Injury and Psychological Health Research.

The FY10 Defense Appropriations bill included $472.4 million for Family Advocacy programs including Family Support and Yellow Ribbon. These programs include quality child care, job training for spouses, and an expansion of counseling services. For the families that experience the daily heartache of having a loved one far away, these programs reach out and provide support. I want to thank Chairman MURTHA for his untiring support of our troops and their families.

I want to stress that none of these funds will go toward the administration's plan to send 30,000 additional troops to Afghanistan, and I will continue to scrutinize the economic, military and social impacts of the administration's request. I am concerned about the cost of sending additional troops, as well as the effect that a larger presence in Afghanistan will have on troop morale. The White House estimates that it will cost $1 million per year for each additional soldier deployed, and I believe that $30 billion would be better spent on developing new jobs, and fixing our broken healthcare system, as well as in using "smart power" to peacefully work on the Afghan cease-fire.

The cost and the long-term commitment were given renewed significance on Tuesday, December 9, 2009 when Afghan President Hamid Karzai said, as reported in the New York Times, that "Afghanistan would not be able to pay for its own security until at least 2024." Secretary Robert Gates echoed that sentiment when he said that "For another 15 to 20 years, Afghanistan will not be able to sustain a force of that nature and capacity with its own resources." If our strategy is to use $50 billion to build up Afghanistan's police and military forces as well as a decades-long commitment, I am not sure that the American people will support such an effort.

Yet, no matter your opinion on their role in conflict, it is important that our troops are prepared for the current combat environment. As such, the Defense appropriations bill includes $154 billion to increase the readiness of our armed forces, helping to refocus our military away from the Cold-War era type of conflict.

A bill of this magnitude must include safeguards against waste, abuse, and fraud. Not only does this bill increase the resources at the disposal of the Department of Defense (DOD) Inspector General, it also enhances the focus on taking inherently governmental functions out of the hands of contractors.

Finally, it will be a great celebration in Houston with the establishment of the Riverside General Hospital Post Traumatic Stress Disorder Center with a $1 million grant. Additionally, I have received over $4 million in green job, technology, and medical research funding. These dollars will work for the 18th Congressional District and the American people.

Mr. YOUNG of Florida. Madam Speaker, I yield back the balance of my time.

Mr. MURTHA. I yield back the balance of my time, Madam Speaker.

The SPEAKER pro tempore. Pursuant to House Resolution 976, the previous question is ordered.

The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURTHA).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. YOUNG of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the motion will be followed by a 5-minute vote on the motion to suspend the rules with regard to H.R. 1110, if ordered.

The vote was taken by electronic device, and there were—yeas 395, nays 34, not voting 5, as follows:

[Roll No. 985]

YEAS—395

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ellsworth
Emerson
Engel
Etheridge
Fallin
Farr
Fattah
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt

Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Yarmuth
Young (AK)
Young (FL)

NAYS—34

Baldwin
Bishop (UT)
Campbell
Chaffetz
Clarke
Costello
Duncan
Ehlers
Ellison
Filner
Flake
Gohmert
Grayson
Johnson (IL)
Kagen
Kucinich
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Lummis
McDermott
Nadler (NY)
Paul
Payne
Polis (CO)
Quigley
Serrano
Shimkus
Stark
Towns
Velázquez
Welch
Woolsey
Wu

NOT VOTING—5

Eshoo
Hirono
Radanovich
Souder
Speier

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1400

Messrs. COSTELLO, SHIMKUS, CHAFFETZ, LEWIS of Georgia, KAGEN, Ms. VELÁZQUEZ, Messrs. PAYNE, TOWNS, and Ms. CLARKE changed their vote from ''yea'' to ''nay.''

Messrs. TURNER and RYAN of Wisconsin changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Ms. ESHOO. Madam Speaker. I was not present during rollcall vote No. 985 on December 16, 2009 because I was in a secure room for a restricted briefing.

On rollcall vote No. 985, I would have voted "yea."

Stated against:

Mr. CONYERS. Madam Speaker, today, I inadvertently cast a "yea" vote during rollcall vote 985. My intention was to cast a "nay" vote on H.R. 3326, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

PHONE ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1110, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 1110, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 1, not voting 15, as follows:

[Roll No. 986]

AYES—418

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hodes
Hoekstra
Holden
Holt
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Woolsey
Wu
Yarmuth
Young (AK)

NOES—1

Paul

NOT VOTING—15

Bonner
Conyers
Dicks
Gingrey (GA)
Heller
Himes
Hirono
Honda
Kaptur
Linder
Pastor (AZ)
Radanovich
Speier
Wolf
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1407

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RADANOVICH. Madam Speaker, I was unable to make today's votes on the House floor due to a family illness. Had I been present I would have voted as follows:

"Yea" on rollcall vote No. 985, on the motion to concur in the Senate Amendment with a House Amendment to H.R. 3326, the Department of Defense Appropriations Act of 2010.

"Aye" on rollcall vote No. 986, to suspend the rules and adopt H.R. 1110, the PHONE Act of 2009.

PERSONAL EXPLANATION

Ms. HIRONO. Madam Speaker, on rollcall No. 985 and 986, had I been present, I would have voted "yes" on both.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2010

Mr. OBEY. Madam Speaker, pursuant to House Resolution 976, I call up the joint resolution (H.J. Res. 64) making further continuing appropriations for fiscal year 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 976, the joint resolution is considered read.

The text of the joint resolution is as follows:

H.J. RES. 64

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Continuing Appropriations Resolution, 2010 (division B of Public Law 111–68) is further amended by striking the date specified in section 106(3) and inserting ''December 23, 2009''.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. OBEY. Madam Speaker, before I start, I don't see either one of them on the House floor now, but I just want to take this time to note that today is the birthday of the distinguished gentleman from Florida (Mr. YOUNG), the ranking member of the Defense appropriations subcommittee, and also of the gentleman from Washington (Mr. DICKS), who is the second ranking Democrat on the same subcommittee. So in their absence, I think we wanted to wish them well.

With that, Madam Speaker, I would simply say this is a simple joint resolution, a continuing resolution, which takes the Congress to December 23, next Wednesday. It is made necessary by the fact that it is just possible that the Senate might not finish its work before the 18th. They have been known for their speed, but this may be an exception. It is also useful in order to give the President additional time to review the Defense bill before he signs it.

With that, I would urge support, and I am prepared to yield back after the gentleman has made his remarks.

Mr. LEWIS of California. Madam Speaker, this is a simple 5-day CR, and I happily yield back the balance of my time.

Mr. OBEY. Madam Speaker, I would again urge support for the resolution, and I would yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 976, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING CONTINUED FINANCING OF GOVERNMENT OPERATIONS

Mr. STARK. Madam Speaker, pursuant to House Resolution 976, I call up the bill (H.R. 4314) to permit continued financing of Government operations, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 976, the bill is considered read.

The text of the bill is as follows:

H.R. 4314

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONTINUED FINANCING OF GOVERNMENT OPERATIONS.

Subsection (b) of section 3101 of title 31, United States Code, is amended by striking the dollar amount contained therein and inserting ''$12,394,000,000,000''.

The SPEAKER pro tempore. The gentleman from California (Mr. STARK) and the gentleman from Nevada (Mr. HELLER) each will control 30 minutes.

The Chair recognizes the gentleman from California.

□ 1415

Mr. STARK. I yield myself such time as I may consume.

(Mr. STARK asked and was given permission to revise and extend his remarks.)

Mr. STARK. This bill is necessary to allow the government to keep operating past the new year so that we can adjourn for the year. The Treasury Department has told us we will reach our current limit on the national debt on December 31—Happy New Year. Unlike past years, the Treasury Department has informed us they don't have the ability to maneuver and buy more time, so the United States would begin to default on its debt if we do not act.

The bill would raise the debt limit by $290 billion, enough to last through February 11. Unfortunately, we will have to revisit this issue early next year. I wish we could have avoided that, but to do so, we would have had to resolve differences with the Senate over a budget commission and a statutory PAYGO. With the Senate preoccupied on other matters, that would be impossible before the holidays. Even if the Senate were to pass the larger debt limit increase we sent over to them, we would still have to act again next year.

It's important that we do this, as I said, to keep the government running. I don't like to raise the debt limit, but I do like being in the majority, and I do like seeing us pay our bills because we have an international obligation to many of our creditors.

I reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, here we go again. Christmas is a week away and Congress is scrambling at the last minute just so we can go home. While Americans are doing last-minute holiday shopping, the majority party is doing its last-minute spending. This year, many families are cutting back on their holiday shopping. The average holiday spending by Americans this year has dropped to $343 per person from $372 a year ago. You would think that during these tough times when most Americans are forced to tighten their belts, Congress would do the same. No chance under this majority.

This majority stumbled into 2009 with a budget that raised the deficit by $1.8 trillion. Then Congress decided to pass an $800 billion stimulus bill, $3 billion on Cash for Clunkers, $1.3 trillion on the Democratic health care bill, a trillion dollars on cap-and-trade and, recently, another $447 billion was spent on Washington, D.C., bureaucrats. After all this spending, the national debt is now $12 trillion. Every American citizen will now owe more than $39,000 to pay for Washington's spending.

Now Democrats want to raise the debt limit to allow even more spending in 2010. The real fat cat is the Federal Government which spends, spends, spends while the American public gets stuck with the bill.

I urge my colleagues to reject raising the debt limit. Give the gift that America deserves: a responsible Federal budget.

Merry Christmas to everyone.

I reserve the balance of my time.

Mr. STARK. Madam Speaker, I ask unanimous consent that the distinguished committee member of Ways and Means, Mr. NEAL of Massachusetts, be allowed to control the time for our side.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NEAL of Massachusetts. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, I rise in support of the debt limit legislation we are considering today, and I want to thank Mr. RANGEL for his hard work on the bill in the waning days of the Congress this first session.

Let me talk about what the bill does. This bill is simply about continuing operations for the Federal Government. That is the title of the legislation. ''Continuing operations'' means getting the Social Security checks out on time, an almost sacred duty that we have. This means providing support for our troops and keeping our museums and our parks open. That is what an increase in the debt limit will allow. Simply stated, this is about bills that have already been incurred.

Now, I will, during my time here, resist the temptation to become overly

partisan and speak specifically to the issue that is in front of us until there is a misstatement of the facts in opposition.

What this bill does not do is increase or decrease spending. That is a key consideration. Those decisions have already been made through the regular order. Let me emphasize the following: This bill does not raise nor does it cut taxes. That is different legislation. I respect the opinion of all Members here—who, by the way, my hunch is have been on all sides of this issue during their time here in the Congress. But we all desire the same, and that is to bring our budget into balance with the future. Beyond that, there is broad agreement. But this bill is simply paying the check after the items have already been ordered. This bill would raise the limit by $290 billion, which is estimated to allow the government to operate through February 11 and allow us to adjourn for the year.

Despite what some might say, the Treasury Department will reach the current limit on the national debt by December 31, and they have told us that there is no ability to do extraordinary measures that will, indeed, stretch that out.

Now, I hope that the offering that I make to resist demagoguery on this issue will be met. If not, we certainly will have an opportunity during the course of the next hour to slug it out based upon the facts, and I hope that we will regard Social Security and veterans bills that have already been incurred to be paid. We certainly can have moments of instructions here—we're all indeed prepared for that on all sides—but I hope that the opportunity to resist the temptation to dismiss the reality of what we're doing here will be before all of us.

I reserve my time.

Mr. HELLER. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. HERGER).

Mr. HERGER. Madam Speaker, President Obama and congressional Democrats have maxed out the national credit card with reckless spending, and they're back for more.

The American people are tired of overspending and tired of policies that have done nothing to lift us out of this economic downturn. Democrats rammed through a so-called stimulus that left us asking: Where are the jobs? Now congressional Democrats are asking for more money that they will turn around later this afternoon and spend on another stimulus bill that spends even more on failed policies.

Madam Speaker, it's time for Congress to say ''no'' to endless debt that is an albatross around the neck of our Nation's economy and future generations. Vote ''no'' on this increased debt limit.

Mr. NEAL of Massachusetts. Madam Speaker, I would like to yield to a voice of fiscal responsibility here in the House, to Mr. BOYD, the gentleman from Florida, for 2 minutes.

Mr. BOYD. I thank my friend, Mr. NEAL, for yielding.

I think all of us here today—certainly in this game of inside baseball—understand that we have to raise the debt limit. We don't have a choice to let our Nation go into default on its bonds.

But I do come today to ask you to support it. I come reluctantly. And I am glad to hear that my friends on both sides of the aisle now are for fiscal responsibility.

I think many of us over here have been saying for years—particularly for the last 8, 9 years—that policies that we were pursuing starting in 2001 of spending more than we were taking in on an annual basis had to stop. We found ourselves in pretty good shape in 2001, and then we changed the policies, and you know the rest of the story, the history of that.

Many of us have been working all during that 8-year period to try to reinstall the tools that we could use to return fiscal discipline to our government: the tools such as pay-as-you-go rules, something that we had in place in the 1990s that was allowed to expire by the Congress and the administration in 2002; discretionary spending limit.

There are lots of tools that can be used, but in the last 9 years, this Congress and the administrations have rejected those tools, and it's time for us to put those back into place.

We don't have the will here at the United States Congress to discipline ourselves. I think both parties have proven that over the years. So we have to come back with those tools such as pay-as-you-go, discretionary spending caps, sequestration, whatever it takes. There's a good idea floating around on both sides of the Capitol here. It's called the SAFE Commission.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL of Massachusetts. I yield the gentleman an additional 1 minute.

Mr. BOYD. So what we're trying to do here is hit the pause button for less than 60 days, and we will move forward, break for the Christmas holiday, and then come back, and we have to focus on this issue of fiscal responsibility.

I have said to my party leaders, as I have said to the other party leaders over the last 8 years, we have to look beyond the ends of our nose and we have to focus on fiscal responsibility. And the first step we have to do is keep our country from going into default on its bonds. And then we have to move forward to reinstall such tools as PAYGO, commissions, whatever it takes to get us focused on getting our government back to the point of acting in a responsible way for fiscal matters.

Mr. HERGER. Madam Speaker, I yield 3 minutes to the Republican Conference Chair, the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the gentleman for yielding.

I rise today in opposition to H.R. 4314. It is a bill that will increase the statutory limit on the national debt by $290 billion.

Now, my distinguished colleague and friend just called that ''hitting the pause button,'' and that was evidence of his characteristic candor, because as everybody in this body knows, this $290 billion increase in the statutory limit on the national debt is simply a down payment on the nearly $2 trillion increase in the national debt that this Democratic majority intends to move in this Congress after the first of the year.

Increasing the national debt. You know, it's moments like this that I have really got to say that the American people have had it. I mean, at a time of economic difficulty for working families, small businesses, and family farmers all across this country, a time when families are sitting down at kitchen tables, huddled around aluminum desks in small businesses, in basements with fluorescent lights hanging, they're figuring out where to cut back. They're figuring out what expenses to put off. They're just figuring out how to make it from one month to the next.

And those families and those small businesses don't have the ability to walk down to the bank and just increase their debt limit with the wave of the hand. I mean, they have got to make hard choices. And to their undying credit, the American people are making those hard choices. And the reason they're so frustrated looking at Washington, D.C., today is because they see a national government that is completely out of step with the character and the values and the sacrifice that the American people are practicing every day—not that it's anything new.

As the distinguished chairman just said a few moments ago, when Republicans were in control, we did our share of spending and overspending. Republicans doubled the national debt in the 8 years of the last administration. But this Democratic majority just passed a budget that will double the national debt in the next 5 years and triple it in 10.

□ 1430

After 3 years of Democratic control in the House, the national debt has increased by 39 percent. The national deficit hit a record of $1.4 trillion. In this fiscal year, it's expected to reach a new record of $1.8 trillion. Millions of Americans are asking, Madam Speaker, when will it stop? When will Washington get the message that we can't borrow, spend and bail our way back to a growing America, that we've got to begin, Republicans and Democrats, to practice what we so love to preach when we are home: fiscal discipline, fiscal responsibility? And then we come here right before the Christmas break

on the day we are probably headed out of this building, and we're going to pass a $290 billion increase in the statutory limit on the national debt.

The American people don't want more debt for Christmas. This Congress ought to be sticking around, making the hard choices, reducing the size and scope of government and reforming these entitlements. Do the work the way the American people are doing the work, so help us, God.

Mr. NEAL of Massachusetts. Madam Speaker, before I come to my friend's comments, I want to yield myself such time as I might consume.

Madam Speaker, I spoke with Chairman RANGEL earlier, and it is our intention, as we did this month in passing the Tax Extenders Act of 2009, to make sure that those provisions hold. That bill contains a 1-year extension of dozens of important expiring provisions, including the popular R&D credit, the sales tax deduction and the college tuition deduction, among many others.

We are now hearing the Senate may not take up this provision, or provisions, and pass the bill before they expire on December 31. It is our intention to insist upon the House position and to work to ensure that our bill providing a seamless extension of these tax benefits will be enacted as soon as possible in the new year.

These provisions are crucial for both American business and individual taxpayers, and I am pleased that we were able to get the House to pass this bill before the year concluded, but it is disappointing that the other body will not be able to take it up this year. It is our goal, however, to ensure that this bill will provide a seamless extension when enacted based upon the House measure.

Madam Speaker, I want to thank Mr. PENCE because I thought that the tone of what he offered was entirely reasonable because he didn't pass out partisan blame in the instance that brings us here at this time. But a gentle reminder, I don't know how you could have voted for the war in Iraq and not vote now to pay the bill, because that's part of what we are being asked to do today. I understand how difficult this is, why it causes heartburn. But having said that, how can you say that you were willing to commit 160,000 soldiers to Iraq, and when the bill comes due, not pay it? That essentially is the argument that is in front of us today.

And I understand the arguments about those American families who are having a difficult time as we proceed to this holiday season, and we want to be as helpful to them as we can. And as they gather around the kitchen table to talk about the problems they have, we understand that we want to provide as much support for them as we can. But let's not forget the Social Security recipients who are currently sitting around the table as they watch this debate, wondering if their checks are going to be mailed to them on time at the first of the year.

With that, I reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield such time as he may consume to the ranking member of Ways and Means, the gentleman from Michigan, Mr. CAMP.

Mr. CAMP. I thank the gentleman from Nevada for yielding, and also I want to thank him for his leadership on the Ways and Means Committee this year.

The bill before us is a candid admission by the majority that their tax, borrow, and spend ways have driven America deeper and deeper into debt. In fact, because of the failed trillion-dollar stimulus spending bill, America's unemployment is higher than predicted and revenues are lower. But that hasn't stopped the majority from continuing to spend, spend, spend.

Just last week, the majority rolled six major spending bills into one omnibus bill that increased, on average, Federal spending by 11 percent. Now, the bill before us asks us to increase the debt limit another $290 billion. The American people are asking: where are the jobs? But all they have been shown is more deficits and more debt.

Let's be honest with the American people. It really isn't $290 billion the majority wants to increase the debt limit by. It's more like $1.8 trillion. In a few short months, we'll be right back here voting on another bill to increase the debt limit, probably by another $1.5 trillion.

At the end of 2007, the public debt equaled 65 percent of our gross domestic product, or GDP. By the end of 2009, the figure will exceed 83 percent, and according to President Obama's own budget projections, it will exceed 100 percent of gross domestic product by 2011. Think about it: at the rate the majority is spending, the Federal debt in 2011 will exceed the value of all goods and services produced by the economy that year.

This isn't just a Democrat or a Republican problem. It's a huge problem for every single American. It threatens our economic recovery and our future prosperity. So let's remember the words of then-Senator Obama in 2006 who warned of the dangers of raising the debt limit without addressing the underlying cause. Here is what he said: ''The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. It is a sign that the U.S. Government can't pay its own bills. It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our government's reckless fiscal policies.

''Increasing America's debt weakens us domestically and internationally. Leadership means 'that the buck stops here.' Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.''

Americans do indeed deserve better than what they have received this year. But rather than heed that warning, Appropriations Committee Chairman OBEY recently said: ''We don't really have a choice. The bill's already been run up; the credit card has already been used. When you get the bill in the mail, you need to pay it.''

The gentleman from Wisconsin was correct: the credit card has been used. But this legislation doesn't pay the bill. It doesn't even make the minimum monthly payment. It simply asks for more credit.

After going on a $1.4 trillion deficit spending binge and maxing out the taxpayers' credit cards, Democrats are now asking to increase the credit limit. We should not be asking for more credit. We should be developing a plan to control Federal spending so that future generations are not trapped under this mountain of debt.

Until we see a plan to actually address this underlying problem, as then-Senator Obama warned we must, I cannot, in good conscience, vote for this legislation.

I urge my colleagues to vote ''no.''

Mr. NEAL of Massachusetts. Madam Speaker, at this time, I would like to yield 4 minutes to my friend, the gentleman from Tennessee (Mr. TANNER) who was my classmate here 21 years ago and is, in my judgment, as thoughtful as any Member of this House on the issues of the national debt.

Mr. TANNER. Thank you, Mr. NEAL.

Madam Speaker, what we are seeing today is the culmination of a decade-long mismanagement of our Nation's finances. In the year 2000, the revenue and expenditure stream coming to Washington were both around 19 percent of gross domestic product. In other words, we were breaking even. The second worse thing that happened in 2001 after, of course, 9/11 happened, in February when the Congressional Budget Office said that their forecast would be a $5 trillion surplus over the next 10 years. People around here became euphoric. We are filthy rich. We can cut taxes. We can do everything, and we are going to be fine. In fact, the first Bush Secretary of the Treasury came before the Ways and Means Committee and said he was concerned that we would pay off the national debt so quickly that we would have to pay a premium to get our paper back.

Well, in June of 2001, we embarked on a new economic game plan for this country. Two and a half months later, 9/11, every assumption that went into the conclusion there would be a $5 trillion surplus over the next 10 years was no longer valid. But what did Congress do? Kept right on going. By 2003, if you look at the Treasury records, by 2003, income coming into Washington was down to 16.3 percent of gross domestic product, and expenditures were over 20 percent because we had gone to war in Afghanistan and Iraq, among other reasons.

What did we do? We borrowed the gap. We started borrowing in 2002, -3,

-4, -5, a decade-long mismanagement by both parties. And for the people who just last week stripped out to pay for and added another $70 billion on a motion to recommit and to talk about debt and deficits now, when they ought to be trying to help us, what we're doing, as ALLEN BOYD said earlier, we're putting the pause button on this.

We must have statutory PAYGO that was allowed to lapse in 2002 so that you didn't have to pay for anything. You could just blithely pass tax cuts, increase spending and borrow the difference, because do you know something? The people we're borrowing it from aren't here. They don't have a vote.

I remember one time he said, will you vote for a supermajority to raise taxes? I said, no. There's plenty of pressure in the system not to raise taxes. I will vote not to borrow money because there's nobody here protesting what we're doing to the children of this country and the children yet to be born here.

And so, Madam Speaker, it's the responsible thing to do today. But I tell you, this is very short term, like 60 days. When we come back, we've got to insist on a commission or on a statutory PAYGO, on something to break this business-as-usual gridlock that has been going on here this entire decade.

And I defy anybody to argue honestly that it is not a decade-old problem. The last time we broke even, basically, was the fiscal year 2001. And so we have to do this; but when we get back here, when the final chapter is written of this book, I hope we have the ability to come together, and we need the help, we need the help of the Republicans to help us put in statutory PAYGO and the commission, some of these things that will do it.

The problem is not what we're doing. We have a structural deficit. Income right now is about 17½ percent of gross domestic product. Expenditures are over 20.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL of Massachusetts. I yield the gentleman 2 additional minutes.

Mr. TANNER. It's a structural deficit. When one considers that Social Security, Medicare, Medicaid, interest on the debt and the national defense account for 85 cents out of every dollar, you can't cut enough out of the 15 percent to take care of this problem. It's not what we're doing. It's not what we're spending. It's what we're not doing, and that is we are not addressing the structural deficit.

And the only way we are going to get at that is through either statutory PAYGO or an entitlement commission, and hopefully both. It's not what we're doing, it's what we're not doing, and it is a decade-old problem that is getting worse every year. And until this Congress can come together, Democrats and Republicans, what we have around here is too many Republican Americans or too many Democratic Americans instead of American Democrats and American Republicans.

I'm telling you, the time is now for American Democrats and American Republicans to get together over the next 60 days and figure out what we're going to do, because we are on an unsustainable financial course.

Mr. HELLER. Madam Speaker, I yield 1½ minutes to the gentleman from Texas, a colleague of mine on Ways and Means, Mr. BRADY.

Mr. BRADY of Texas. Madam Speaker, it is interesting to hear our Democrat friend's newfound interest in paying for the war. That hasn't always been the case. Here is what the current majority leader said on this House floor in 2004 when the debt limit was proposed to be raised and we were at war. What now-majority leader Mr. HOYER said: raising the debt limit is immoral. Its disastrous consequence has threatened to cripple our future prosperity and haunt future generations. He said this policy of borrow and spend is not only irresponsible, it is immoral, and it must stop. We are literally mortgaging our future.

These are their words, not ours.

The truth of the matter is, what we are voting on today is a down payment, a two-step, $2 trillion increase in our debt, two-step, $2 trillion increase in our debt. And what it means for American families is that the day NANCY PELOSI took the gavel to become Speaker of this House, every man, woman and child in America owed $29,000 in debt. Today, as a result of this vote and next year's debt limit, every person in America will owe $45,000 in public debt.

□ 1445

Three years, we've increased to $45,000 in public debt. It is responsible to pay our bills; it's irresponsible to keep going into debt and asking for more credit while we do it. It's time to stop spending.

Mr. NEAL of Massachusetts. Madam Speaker, I yield 3 minutes to my friend, the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank my friend for yielding.

A tired old tradition is being carried out on the House floor today. When it comes time to extend the national debt ceiling, the Members in the minority get up and express outrage, and enough Members in the majority get up and show responsibility and vote to do what needs to be done to pay the Nation's bills.

Madam Speaker, I know a lot of people watching this are scratching their heads and saying, how did we get to such a terrible predicament? Whose fault is it? And I think they're tired of hearing whose fault it is because, frankly, when the other side is in the majority, we say it's their fault; when they're in the minority, they say it's our fault.

I think a history lesson is in order. In 2001, as Mr. TANNER said, we were looking at a projected $5 trillion surplus over the decade that we're now closing out. We're going to take in $5 trillion more than we spent. There were three things that happened in that decade that injured that prospect. The first was horrific, unavoidable, and the fault of no one in this room; it was the terrorist attack on the country on September 11, 2001, which had and still has negative economic consequences as well as security consequences for the country.

The second thing that happened, in my view, is that two disastrous choices were made. The first was to launch two wars by borrowing the money to pay for those wars in Iraq and in Afghanistan. We certainly can disagree—and we have around here a lot—as to whether or not those wars were or were not in the national interest, but I think we should have understood that it was absolutely not in the national interest to defy historic tradition and finance those wars by borrowing money, unlike more responsible predecessors of ours had done in other times.

The second disastrous decision was a tax cut, a huge majority of which benefited the wealthiest 5 or 10 percent of people in this country. That created a mountain of debt that shifted us from a projected $5 trillion surplus to a projected deficit instead.

Then followed the financial meltdown of the fall of 2008. The Treasury Secretary told us in no uncertain terms that he felt that we were perhaps a few days away from the collapse of the global economy. So to this floor came a $700 billion bailout bill for the banking industry, and a lot of Members on both sides voted for it. I think it was the right vote because I do think it staved off that calamity from happening, and that added to the national debt. And yes, there were decisions made since the new administration came in to do the stimulus bill in a way that was not paid for.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL of Massachusetts. Madam Speaker, I yield the gentleman from New Jersey 1 additional minute.

Mr. ANDREWS. And I know there is disagreement over whether that was the right thing to do. I think it was absolutely the right thing to do because it stimulated between 600,000 and 1.6 million jobs thus far being saved or created.

Let me say this to you: irrespective of how you recount the history as to how we got here, here we are. And to deal with this problem it seems to me there are three inescapable things we have to do. The first is to get entitlement spending under control. Frankly, our side believes the health care reform bill does exactly that, and the Congressional Budget Office would concur—nearly $500 billion in entitlement

reductions over a 10-year period. Second, you have to get revenue back on track. Our budget calls for a repeal of the tax reductions for those that are in the top 5 percent or so of the country. I think that is the responsible thing to do. No one on the other side voted for that. And finally, we have to stop spending $300 or $400 billion a year to buy oil from other parts of the world. We had legislation here that would put us on that path and build American jobs. Almost no one—single digits—on the other side voted for that.

So this is the day when the minority expresses outrage. There ought to be some other days when the minority expresses some ideas, some plans on how to fix the problem.

Vote ''yes.''

Mr. HELLER. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. BARTLETT).

(Mr. BARTLETT asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT. Madam Speaker, during the Clinton administration, Washington was telling America that we had a budget surplus and we were paying down the debt. Now, while we were telling America that, we had the embarrassing necessity of raising the debt limit ceiling. Why would you have to raise the debt limit ceiling if you're paying down the debt? Surprise, surprise; Washington was not being truthful.

What we were doing was taking money from lockboxes, surplus trust fund moneys, Social Security and Medicare, and paying down the public debt—one more dollar of debt in the trust funds, one less dollar of debt in the public debt. That did nothing to reduce the national debt. And we had other trust fund surpluses for which there was no lockbox. We happily took and spent that money. If we kept our books on the accrual method, there never was a moment in time when we, in fact, reduced the national debt.

Now, talking about accounting methods, our government keeps Enron kind of books. If we kept our books the way we force all but the smallest businesses to keep their books, using the accrual method, we would be showing about $60 trillion in debt. That's $200,000 in debt for every man, woman, and child. Clearly, clearly unmanageable.

We should be ashamed that we're here today talking about raising the debt limit ceiling once again. We should be here debating how we're going to balance the budget and then pay down the debt, because I have 10 kids, 17 grandkids, and two great-grandkids, and we have already mortgaged their future. We don't need to do anymore.

Mr. NEAL of Massachusetts. Madam Speaker, I yield 2 minutes to the distinguished chairman of the Ways and Means Committee, the gentleman from New York (Mr. RANGEL).

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Let me first thank Chairman NEAL for the great job that he has done over the years in terms of presenting legislation that is so sorely needed in this House. And let me speculate in terms of how far is it going to go that we are going to have this partisanship in the House of Representatives.

You know, we have a saying that once we're overseas, we leave the Democratic label and the Republican label behind us. But believe me, the flag and the credibility of the United States' credit is on the line. And whether it's the Chinese, the Japanese, or the European Union, it seems to me that the pride that we once had in terms of being the leader of the world, not only in fiscal policy, but in foreign policy, is on the line.

No one out there in our communities is going to look at this as a Republican issue or a Democratic issue. They're going to look at it as an American issue. And they're going to look at the Congress. Why? Because we have the full faith and credit of the United States of America in our hand. People have political problems with raising the debt limit, but our country has fiscal problems. And Treasury has assured us, as he has the minority, that they don't have these fiscal gimmicks in order to play around with it.

I know a lot of people know it's going to pass, and so, therefore, they're not going to vote for it. But somebody—maybe our kids and grandkids—is going to ask, Did the United States of America ever forfeit and didn't pay its debts? And some historian teacher will say, yes, they did. And they will want to know what Congress did it, and who did it; they're not going to ask whether you're a Democrat or Republican.

So we've got plenty of time to fight—we have at least a year. But, please, when the credibility of the United States of America is on the line, don't ask which side you're on; be with your country.

Mr. HELLER. Madam Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Madam Speaker, I rise today in opposition to H.R. 4314, which, according to the majority, ''permits continued funding for government operations.'' That sure sounds a lot better than H.R. 4314, a bill to borrow another $300 billion from China. Or we could also entitle it, H.R. 4314, a license to keep spending like a teenager with a credit card.

Madam Speaker, the United States is already paying $250 billion per year in interest payments alone on the debt. We are paying more for that interest by borrowing more. That just doesn't make sense.

The argument that we have already spent the money, and when the bill comes in the mail we have to pay it, is misleading. Every American with a maxed out credit card would love to be able to pay his bills by simply raising his limit. That is what we're doing here today, ladies and gentlemen. That includes the 15 million unemployed Americans who are still wondering when the so-called stimulus is going to create or save their jobs.

I urge my colleagues to vote against more borrowing and to certainly vote against this bill. America does not want more debt.

Mr. NEAL of Massachusetts. Madam Speaker, might I inquire as to how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Massachusetts controls 9 minutes; the gentleman from Nevada controls 16 minutes.

Mr. NEAL of Massachusetts. I reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Madam Speaker, never in history have so few acted so fast to indebt so many. Since the Democrats have taken control of Congress, this is the fifth time that they have come here to raise the debt ceiling—today, $290 billion more.

Under their watch, the national debt has increased $3.4 trillion, or almost $30,000 for every household in America. Under their fiscal policies, we now have a $1.4 trillion deficit, our Nation's first. They passed a budget that will triple the national debt in just 10 years, and they are causing us to borrow 40 cents on the dollar from the Chinese and send the bill to our children and grandchildren.

Now, when Republicans controlled this body and the deficit was $300 billion and falling, the now-majority leader said, ''That's fiscal child abuse,'' and the now-Speaker called it ''immoral.'' And now under their watch it's five times greater, and all we hear is a chorus of ''que sera, sera.''

It's Christmastime, and the Democrats give us $290 billion more of debt. Merry Christmas.

Mr. NEAL of Massachusetts. Madam Speaker, I yield 2 minutes to my friend, the gentleman from New York, a voice of good sense on the issues of debt, Mr. CROWLEY.

Mr. CROWLEY. I thank my good friend from Massachusetts for yielding me the time.

The Republicans keep claiming that Federal spending and deficits are growing under the Democrats, but let's look at the facts.

Republican Conference Chairman MIKE PENCE said just a few minutes ago that they, the Republicans, doubled the national debt in 8 years to almost $12 trillion. And you know what? MIKE is right. About an hour or so ago Republican JEFF FLAKE said spending was out of control when Republicans were in charge of Congress and the White House. And you know what? He was right as well. And the funny thing, when President George Bush was voted into office he inherited a multi-trillion dollar surplus of funds from President

Clinton and the Democrats. So the party who borrowed and spent and squandered surpluses is now standing in the way of moving forward in the right path.

The very Republicans who refused to run the country like our constituents have to run their households—buying only what they can afford—are opposed to legislation that will ensure all new spending and tax cuts are paid for. This would prevent us from adding to the deficit, yet Republicans are opposed, arguing they should be allowed to tax and borrow from the Chinese at will, but only for their priorities.

So the hangover from President Bush and Republican control of Congress still lingers. It was Republicans who pushed a $700 billion bailout package for the banks, a package that Democrats and President Obama are demanding be paid back—and with interest—from those very same banks. Then we had tax cuts for the wealthiest in America, with no assistance to the middle class, and then a refusal to fund the wars in Afghanistan and Iraq. Democrats are correcting these disastrous decisions by our Republican colleagues.

The only thing more galling than the inaccuracy and denial of the Republicans of their own records and votes is their hypocrisy on this issue of their own out-of-control spending and legacy of deficits.

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Mr. HELLER. I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank the gentleman from Nevada for yielding.

Madam Speaker, this is my congressional voting card. Unfortunately, some of the liberals running this Congress think that this is a credit card that has an unlimited balance. Today, they stand before us, trying to add another $290 billion of limit onto their credit cards because they have maxed out the previous at $12 trillion. The American people are saying enough is enough. They want us to cap the debt, and we need to.

We filed legislation that has over 70 cosponsors that would do just that—that would cap the debt and say now let's start paying it down. The first rule of hole says, when you find yourself in a hole, the first thing you do is stop digging. The American people are saying stop the massive spending. Stop adding to our debt. Stop throwing more and more spending and debt onto the backs of our children and our grandchildren. Let's rein in fiscal irresponsibility.

That's why we are opposing this legislation. We proposed responsible alternatives like the CAP the DEBT Act. Of course, they don't want to bring it up because all they want to do is walk around here, thinking that they're Santa Claus at Christmastime, borrowing more money and spending more money that we don't have.

Mr. NEAL of Massachusetts. Madam Speaker, I will remind the gentleman it wasn't a liberal sitting in the White House who decided to invade Iraq for which the costs have now come due.

I reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield 2 minutes to a friend of mine, a colleague on the Ways and Means Committee, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

Madam Speaker, it is the holiday season, and the majority is saying, Cheers.

Here we are, and it's really been an unbelievable party, hasn't it? I mean here we are, and you have all of these folks who have come together, doubling the national debt, as was described, over a 5-year period. The majority will now triple the national debt, and it is as if all they can do is keep serving. No discipline. Hey, cheers. Here you go. Enjoy. Well, here is what happens at the end of that binge. Here is what happens at the end of that kegger:

Ultimately, the old man drives up into the driveway and looks around, and the party is going to be over. Who is going to be there to clean it up? Our children and our grandchildren, Madam Speaker. They are the ones who will be there, taking care of this mess over a long period of time.

So we ought not be continuing serving a government that has been overserved time and time and time again. Instead, what we ought to do is avoid the generational theft, do what is right by our children and grandchildren and not increase this debt.

Mr. NEAL of Massachusetts. I yield myself 1 minute.

Madam Speaker, this is not a cheery time for the American people. This is a very difficult time. A reminder: The legislation in front of us now is to pay for the war in Iraq, to pay for the war in Afghanistan, to pay for our veterans' hospitals, and to pay for next month's Social Security recipients to receive their checks on time.

I reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, we were asked: How can we vote to have troops go to Iraq and not be willing to pay for them?

Well, the problem is we keep having things added to the bills that will pay for these things. We keep adding things like Gitmo language, like we're going to move the people from Gitmo and spend tens or hundreds of millions of dollars unnecessarily just to make some political point.

We hear people across the aisle say, Gee. You know, we can't afford to lose respect around the world if we forfeit on the debt. Don't forfeit on the debt. You don't gain respect when you keep calling the credit card company and saying, I know I'm not making any payments, but if you'll just keep increasing my debt limit, I know you'll have more respect for me. No, that's not how it works.

We are told across the aisle we have no solutions. Go look at the bills that are waiting to come to the floor. I've got a zero baseline budget that doesn't allow the automatic increases. That would make a huge contribution, and we could bring down the debt. Yet there are no indications, nothing to indicate that the spending is going to be controlled. It is outrageous what we are doing to future generations. Any parent who would go in and tell the bank, Keep loaning to me, and I promise my kids will repay it, would be considered an unfit parent.

Yes, the people in America were promised change. What they have gotten is exponentially more spending than Republicans had done before. It's time for a change. Stop spending. Vote this down.

Mr. NEAL of Massachusetts. I yield myself 30 seconds.

Madam Speaker, the war in Iraq is going to cost more than $1 trillion. The VA hospital commitment that we are going to make for the next 30 years to our well-deserving veterans is going to cost an additional $1 trillion. That is the issue that is before us this afternoon.

I reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Madam Speaker, I was just thinking about the people back home who may be watching this. They hear the Democrats blaming the Republicans for all of these things that are costing so much money, and that's the reason we have to raise the national debt. You know, I looked at a $1.4 trillion deficit last year, and we're already ahead of that this year. We are not in charge. You folks are.

The health care bill that you're trying to ram through is going to cost $1 trillion to $3 trillion, and the stimulus bill is going to cost over $1 trillion when you add interest.

The bottom line is we have got to stop spending. We are spending too much money. Whether you are a Democrat or a Republican, the American people back home are saying, Get your house in order. Quit spending so much money. Live within your means like we have to.

We have 10 percent unemployment right now, and the people back home don't want us wasting money that will end up resulting in our having to raise taxes, which we don't want to do and which I won't vote for, and end up resulting in inflation, which is going to be hung on our kids in the future. So we have to quit spending instead of just raising the debt.

Mr. NEAL of Massachusetts. Madam Speaker, I reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, let me say to my colleague from Massachusetts that he and I came in together. Back in 1988, we were both elected, and he and I served in the same class together. As I recollect, he was mayor of Springfield.

You balanced your budget as mayor. You had to balance your budget. Now, we've been up here trying to balance the budget, you and I, for almost 21 years. It has not been successful. I supported a balanced budget—both a constitutional amendment as well as a legislative balanced budget. I don't believe you or your colleagues did. I say this because, frankly, we have been talking about deficit as long as you and I have been in Congress. We can blame Republicans. We can blame Democrats, but let's just look at the record for a second.

When you and I came in under Bush I, do you remember those deficits? They talked about $250 billion, and we just lamented about it and lamented about it, and we complained about it. Well, you know, that's what happened. It has exploded. So now we're looking at deficits that are a lot larger, as my colleague mentioned, $1.4 trillion.

When you look at Bush II, George W. Bush, he had deficits of $600 billion. I remember the folks on that side were complaining about how terrible that was at $600 billion.

Well, the problem is now we're talking almost two, three times that amount of money. Actually, when you go back and look at when Ronald Reagan was President, critics called great criticism to him. They said the deficit was out of control in this country. The deficits were about $250 billion. So the point I am trying to make is that the deficit under Republican Presidents and even under Republican control of the House and the Senate and the White House was small, very small, to what we have today.

You can say that there is good reason for this vote today because you support our troops and our wars, and you also support veterans. I think that's true. Yet there has been no effort by your side to hold the appropriations bill.

I have been on the House floor, and I say to my colleague, your appropriations bills are 13 percent larger than last year's. Almost every one of them was 13, 18—One was almost 20 percent. How in the world can you justify appropriations bills that are so large?

So in the end, Democrats are not trying to reduce costs nor balance the budget. In fact, they are recklessly encouraging more government spending. That is why they need to increase the debt ceiling.

Mr. NEAL of Massachusetts. Mr. STEARNS is, indeed, my friend, and we are classmates.

Madam Speaker, he conveniently left out those 4 years when Bill Clinton left a balanced budget to America, when the deficits were eliminated and when the debt was coming down. That's the key consideration here as we begin this debate. Indeed, this is about paying for our veterans' hospitals, paying for the war in Iraq, paying for the war in Afghanistan, and making sure that those Social Security checks get out on January 1.

Mr. HELLER. Madam Speaker, may I inquire as to the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from Nevada controls 8½ minutes, and the gentleman from Massachusetts controls 5¾ minutes.

Mr. HELLER. Madam Speaker, I yield 2 minutes to the Republican policy Chair, the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. I thank the gentleman.

Madam Speaker, a quick point that was raised by our esteemed colleague from Massachusetts about how President Clinton left 4 years of balanced budgets: It was with the assistance of a Republican majority in the Congress, which is an exceptional precedent, you'll remember, as we head to the polls in 2010.

As we address this issue of raising the debt ceiling, let us be charitable in this, the giving season. Let us recall that, as the Democratic Party's argument today is ''the same but more,'' let us look at what they have tried to give the American people over the course of the past year for stocking stuffers.

First, Americans got higher unemployment, higher spending, higher deficits, and higher taxes.

Secondly, senior citizens got a $500 billion cut in Medicare. Terrorists got new rights, new trials, and new cells on American soil, and Federal Government bureaucrats got raises.

I think that we should question our priorities and the direction in which we are taking ourselves before we decide to spend more money on this. It strikes me that it is very justifiable for the American people to watch this debate, to watch the debt ceiling be raised, and to come to the distinct conclusion that the Democratic majority in Congress has proven itself too costly and too crazy too quickly.

Mr. NEAL of Massachusetts. Madam Speaker, I reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield 1 minute to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. I thank the gentleman.

Madam Speaker, I am a freshman in this body. I didn't help create this mess, but I am here to help clean it up. The fact of the matter is we have to spend less than we are spending now. We have to be responsible stewards of the American people's money.

We are $12 trillion in debt. Remember, if you spend $1 million a day every day, it would take you nearly 3,000 years just to get to $1 trillion, and we are $12 trillion in debt. When is this body going to say no?

This body is not making difficult decisions. I am sorry, but the Democrats in control have refused to find a solution to things that don't cost literally hundreds of billions of dollars every time we turn around. We can't be all things to all people. We have to learn to say ''no.'' At what point will there actually be a cap? At what point will there actually be a ceiling? We see no hope on the horizon for that.

We have got to be responsible stewards of the American people's money. We cannot be all things to all people. We are spending nearly $600 million a day just in interest on our debt.

GENERAL LEAVE

Mr. NEAL of Massachusetts. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 4314.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALL OF THE HOUSE

Mr. NEAL of Massachusetts. Madam Speaker, pursuant to clause 7 of rule XX, I move a call of the House.

The SPEAKER pro tempore. The previous question being ordered, the Chair notes the absence of a quorum in accord with clause 7(c) of rule XX and chooses to entertain a motion for a call of the House pursuant to clause 7(b) of rule XX.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 987]

Abercrombie	Bonner	Castle
Ackerman	Bono Mack	Castor (FL)
Aderholt	Boozman	Chaffetz
Adler (NJ)	Boren	Chandler
Akin	Boswell	Childers
Alexander	Boucher	Chu
Altmire	Boustany	Clarke
Andrews	Boyd	Cleaver
Arcuri	Brady (PA)	Clyburn
Austria	Brady (TX)	Coble
Baca	Braley (IA)	Coffman (CO)
Bachmann	Bright	Cohen
Bachus	Broun (GA)	Cole
Baird	Brown (SC)	Conaway
Baldwin	Brown-Waite, Ginny	Connolly (VA)
Barrett (SC)	Buchanan	Conyers
Barrow	Burgess	Cooper
Bartlett	Burton (IN)	Costello
Barton (TX)	Butterfield	Courtney
Bean	Buyer	Crenshaw
Becerra	Calvert	Crowley
Berkley	Camp	Cuellar
Berman	Campbell	Culberson
Berry	Cantor	Cummings
Biggert	Cao	Dahlkemper
Bilbray	Capito	Davis (AL)
Bilirakis	Capps	Davis (CA)
Bishop (GA)	Capuano	Davis (IL)
Bishop (NY)	Cardoza	Davis (KY)
Bishop (UT)	Carnahan	Davis (TN)
Blackburn	Carney	Deal (GA)
Blumenauer	Carson (IN)	DeFazio
Blunt	Carter	DeGette
Boccieri	Cassidy	Delahunt
Boehner		DeLauro

Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
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Hare
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the call). There are 2 minutes remaining.

□ 1548

The SPEAKER pro tempore. 415 Members have recorded their presence. A quorum is present.

PERMITTING CONTINUED FINANCING OF GOVERNMENT OPERATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts.

Mr. NEAL of Massachusetts. Madam Speaker, I would like to reserve the balance of my time.

Mr. HELLER. Madam Speaker, I yield 1 minute to the Republican leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. My colleagues, there's been a lot of lecturing on the House floor today from my Democrat colleagues about fiscal responsibility. And I heard a lot of about fiscal responsibility in 2005 and 2006 when the then-minority wanted to take the majority.

I think it's time for everyone in this room to take their fair share of blame for the spending that's gone on in this town for far too long. For 36 of the last 40 years, we've spent more than what we've taken in. There's not a household in America that could get by with this. There's not a company in America that could get by with it. And certainly, this government can't get by with it.

For the last 3 years, the Democrat majority, though, after having run on this mantra of fiscal responsibility, has done nothing more than spend, spend, spend and spend. Now, we did our best in 2007 and 2008 to put the brakes on all that spending, and succeeded somewhat. But after this year, for you to criticize us about fiscal responsibility and to lecture us about fiscal responsibility after spending $1 trillion on a stimulus bill that was supposed to be about creating jobs, and what have we done? We've created more unemployment. We've not put anyone back to work. And we're asking our kids and grandkids to pay $1 trillion in principal and interest for a bill that's not doing anything other than increasing spending.

But what makes this bill that's on the floor here today to increase the debt limit by $290 billion a real joke is that as soon as this vote is over, we're going to take up Stimulus II or, as we like to call it, Son of Stimulus. We're going to take up Son of Stimulus, which is going to spend $150 billion on the same kind of failed spending programs that we passed earlier this year.

And what are we going to do? We're going to use that TARP money that those banks and those financial institutions have paid back. Well, where'd that money come from? We had to go borrow it. Everybody knows, everybody that voted for or against TARP in this Chamber, knows that money was intended to go to pay down the deficit. And to take that $150 billion and spend it on more wasteful Washington spending is putting it right on the backs of our kids and grandkids. That's going to happen right after this vote.

Who are we kidding? We're not kidding anybody. I just think it's time to put the brakes on all of it. Let's get really serious about cutting spending. And the way we start is by saying no to increasing the debt limit.

Mr. NEAL of Massachusetts. Madam Speaker, let me recognize for 1 minute the Majority Leader, the gentleman from Maryland (Mr. HOYER), a voice for fiscal reason in this institution.

Mr. HOYER. I thank the gentleman for yielding.

A little over a year ago, Mr. BOEHNER and I spoke on a bill that I said would be noted as a day of consequence in the House of Representatives. That bill was to, at the request of President Bush and Secretary Paulson and Ben Bernanke, give some $700 billion to the Treasury to try to stabilize the financial sector of our economy. Mr. BOEHNER voted for that. My friend, Mr. BLUNT, voted for that. I believe Mr. CANTOR voted for that. Others of you voted for that. And many on our side voted for that bill. It failed.

And we came back here a few days later, on Friday, and that bill was called up again. It was called up again because we knew that there really wasn't an option. Mr. Bernanke, President Bush's appointee as Chairman of the Federal Reserve, said that we were at risk of going into a depression if we did not vote for that bill. Nobody wanted to vote for that bill on either side of the aisle. That was a bill that we ultimately concluded on that Friday, approximately half of the Republican side of the aisle, a little more than half on my side of the aisle, was a bill that we needed to pass to avoid the risk of depression.

Since that time, over the next 4 months, we saw an erosion in the economy, not a depression, but the worst recession we had seen in 8 years. Now I have a speech here that we've prepared. I'm not going to give it because it, to some degree, points the finger at one another. And I agree with Mr. BOEHNER. There's blame to go around. We have been concerned about cutting revenues and increasing spending during the first part of this decade. You have been concerned about the spending that we believed was necessary to make to try to create jobs and bring our economy back.

Mr. BOEHNER and I disagree on the impact of the Recovery and Reinvestment Act. Since its passage, the stock market has gone from 6,500 to 10,500.

Anybody who opens up their 401(k) or Keogh or Thrift Savings Plan believes that we've made progress on that because their value has gone up about 60 percent. That's progress, but not success. We want to get back to where it was in terms of the value of those plans.

In addition, in the last month of the Bush administration, we lost 741,000 jobs, after adopting a policy that many believed, on your side of the aisle, would lift our economy. And, in fact, it did for a while. But it did not create the kind of jobs you wanted. And, in fact, on average, over the 8 years of the Bush administration, it produced approximately 4,200 jobs per month, on average, in comparison with the 216,000 jobs, on average, per month that the Clinton administration saw during its term.

So we could point fingers, but that would not be particularly useful. I have listened to this debate, and I am chagrined. And I want to plead guilty, because I've demagogued this issue as well. We had a quote presented about the morality of incurring debt. It was taken a little out of context, but we all say things that we look back on. And I voted against increasing the debt. It was a demagoguing vote. I voted four times against raising the debt. It was a demagoguing vote. I want to admit that and tell people. Why? Because I didn't believe then, nor do I believe now, that not paying America's bills is an option that Americans expect of us. Americans expect us to pay our bills. Some Americans would like us not to incur some bills for war, but if we do incur bills for war, they would like us to pay for it. Some Americans would not like us to incur bills for nutritional programs or education or whatever else may be, too much, too little, but if we do incur those bills, Americans expect us to pay the bill.

I have a list here of everybody who spoke who was here who voted to increase the debt limit four times during the time that you were in charge of the House and of the Presidency. And we didn't support it. My suspicion is that we will find ourselves in the same place today. You all are not responsible for the running of the government or the passing of policy. We are. I understand that. And so my presumption is, perhaps, to a person, as we did on this side of the aisle, you will vote against this bill.

And so I say to my friends on this side of the aisle, the American people have given us a responsibility. The American people have reposed in us a trust. And this year, in meeting that confidence and trust, we have taken some very tough votes. One of the things I said that was quoted that was immoral, that's the quote you used, and if you take out the whole quote, which a lot of times none of us do, we take the part of the quote that we like, I said that not to pay for what we buy, and to jettison PAYGO, was not right.

□ 1600

One of the reasons that we find ourselves in this position is because we haven't adopted a statutory PAYGO, and we should adopt statutory PAYGO. I understand my friends on this side of the aisle are not clapping. And the reason you're not clapping is because you believe, correctly, that that will constrain you in effecting tax cuts, because you believe that cutting taxes does not create debt.

The tragedy is, during the 8 years President Bush was President and you were in charge—because we couldn't pass any economic policy past President Bush's budget veto—you incurred $2 trillion of debt as you cut revenues and increased spending at a greater rate than was increased under the Clinton administration, and you were in charge of everything. But Mr. BOEHNER is correct, my grandchildren and his don't care whether you did it, we did it, or we did it together.

But my colleagues on this side of the aisle, if we take seriously that oath to protect and preserve this Nation, there is no one on either side of the aisle, Republican or Democrat, conservative or liberal, who will rationalize that America's not paying its debt is a good policy, because all of us know it is a disastrous policy and that the consequences of not passing this bill, in the stock market, globally with our creditors, and, yes, with Mom and Pop running that store in my town and your town, will be very substantial and unacceptable.

So we come, as I said on the TARP vote, to a day of consequences. Not every day is a day of consequence in this House, the people's House. We vote on suspension bills and post offices and this, that, and the other. And even the bills that we'll consider next, we'll send it to the Senate or we won't send it to the Senate, and the world will little note nor long remember, as Abraham Lincoln said. But if America and its duly elected Representatives say to the rest of the world, We will not pay our bills, that will be of consequence.

It is not about pointing fingers. It is about taking responsibility. It is about showing courage to do what all of us know. Whatever the rhetoric on this floor has been today, what all of us know is the only option for a responsible country, for a country that is perceived around the world as the wealthiest country on the face of the Earth, and for us to say this day, We will not pay our bills, that the consequences in January to the person who receives Social Security, the consequences to the Defense Department—not that they won't pay their bills. They're going to have to under the emergency clause. But the fact of the matter is, my friends, this is absolutely essential to do.

Therefore, on my side of the aisle, I ask us to do it. And don't point fingers at their side if they don't do it, because we didn't do it. And very frankly, my friends, we have to stop that. We have to stop it for whoever is in charge, because Americans expect better of us.

I ask you, therefore, as we consider this, we ought to vote on it not because we agreed with policy A or policy B or tax cut Y or tax increase Z, but because we know—and I tell my young friend who spoke on the floor about fiscal responsibility who is here for the first time—as we debate these issues on spending and cutting, that they are legitimate to debate, discuss, and vote however one believes is necessary.

But in the final analysis, when the roll is called as to whether America will be a responsible debtor, whether we incurred that debt as a result of decreasing taxes, which we did, or increased spending, which we have, it matters not. What matters is that America pays its bills. Vote for this bill.

Mr. BLUMENAUER. Madam Speaker, I voted for legislation increasing the debt ceiling that will get us two months into the next year. We are dealing with the sad consequence of Americans living beyond their means for the last eight years. Even though I have argued and voted against these expansions, such as an unfunded and ill-advised war, an unfunded expansion of Medicare, and tax cuts that were not sustainable, I nonetheless feel an obligation to increase the debt ceiling so that the federal government can continue to operate.

This vote allows the government to continue to pay Social Security benefits, Medicaid and Medicare support, and the salaries of those serving in our uniformed services.

At a time of continued challenge for the economy, we have higher demands for countercyclical programs like food stamps, unemployment benefits and support for state and local infrastructure projects. Unemployment and the economy would be much worse had we not made the recovery investment early this year, but even that has not been sufficient for the economy to fully rebound. It would be the height of irresponsibility for Congress to shut down the government, especially while we face these incredible challenges.

In the long run, Congress will have to address comprehensively the level of government service, the nature of our revenue system, and how we extract more value from federal investments. It is in this context that we can constructively address our economic challenges, including our investments in job creation and reducing the federal deficit. This has been my top priority in this Congress as in previous sessions and should be at the top of the congressional agenda as we move forward. In the meantime, raising the debt ceiling is a critical factor to keep the economy recovering and the government functioning.

Mr. HOLT. Madam Speaker, I rise today to vote against allowing the United States to default on its debt, although not otherwise in favor of increasing the debt ceiling. As my colleagues know, this is the fourth time we've done that since enactment of the Housing and Economic Recovery Act in July 2008, just as the economic crisis was exploding upon us. Although a comprehensive and expeditious response was necessary, each such increase has represented hundreds of billions of dollars in additional debt.

In July 2008 Congress increased the debt ceiling by $800 billion. A mere three months

later, in October 2008, the Emergency Economic Stabilization Act increased the debt ceiling by another $700 billion all because of President Bush's decision to pursue two wars on borrowed money Fours months after that, in February 2009, the American Recovery and Reinvestment Act increased the debt ceiling yet again by $789 billion because of the continued decline of the economy and efforts to deal with it. And today, we increase it by $290 billion more, to bring the ceiling to a staggering $12,394,000,000,000. The fact that the current increase is much smaller than the previous increases is no consolation, since the Treasury Department has indicated that it will only cover obligations due until February 11, 2010—a mere two months from now. Not to mention the fact that the entire debt ceiling was only about that much—$300 billion—during World War II.

These increases don't come for free—we're mortgaging our future on them. We have voted to accelerate inflation and increase our long-term fiscal challenges. Before next February arrives, we must all give intensive thought to how to return this country to the surplus conditions in enjoyed in the late 1990s. Between fiscal years 1998 and 2001, the federal government ran at a surplus and the debt ceiling only increased by $450 billion. The surplus vanished after fiscal year 2001, and the debt ceiling has increased by more than ten times that amount ($44.66 trillion) since then.

This deficit spending has provided much-needed economic stimulus in a time of crippling economic recession, and there is no dispute that we urgently needed to implement such stimulus measures over the course of the past year. But we are now in recovery, and it is time to get this economic train back on the right track. I support this increase with no pleasure, and I look forward to working with all my colleagues to bring down the debt ceiling as soon as possible.

Mr. LANGEVIN. Madam Speaker, it is with great reservation that I vote for H.R. 4314, a bill to increase the statutory debt limit by $290 billion. While I am keenly aware of the need for such action to ensure that the Federal Government doesn't default on its obligations, this represents a greater problem of borrowing and spending that we must begin to address now.

There is no doubt in my mind that the actions taken by this Congress over the past year prevented a serious recession from turning into a calamitous economic depression. I also know that there are many families in my State that will require continued support and assistance as we cope with a 12.9 percent unemployment rate. However, as we attempt to enact policies that further stimulate the economy and get people back to work, we cannot lose sight of our fiscal challenges. We must refocus on deficit reduction and chart a course to a sustainable budgetary path.

That is why I was pleased to vote for the Statutory Pay-As-You-Go Act, PAYGO, Act, which passed the House on July 22nd. This bill reestablishes the same rules enacted in the 1990's which led to record surpluses, by requiring that new mandatory spending increases or tax reductions be fully offset. Unfortunately, the Senate has not yet acted on this measure, but I look forward to working with them and my colleagues in the House to ensure that we reduce our deficit and debt obligations as we achieve continued economic stability.

Mr. VAN HOLLEN. Madam Speaker, I rise in support of H.R. 4314, which will increase the statutory debt limit by an amount sufficient to cover obligations through February 11, 2010.

As we take concrete steps to bolster our economic recovery while getting the nation's fiscal house in order, this measure will ensure the uninterrupted operation of government into the first part of next year. Insodoing, it affirms the full faith and credit of the United States, supports job creation and economic growth, and gives the House and Senate additional time to reach agreement on appropriate budget targets for the out years. Importantly, this temporary legislation is also offered alongside the House's twice-expressed commitment to statutory PAYGO legislation, whose use has been demonstrated to bring our budgets back into balance over time.

Accordingly, I urge a "yes" vote.

Mr. HELLER. Madam Speaker, I yield back the balance of my time.

Mr. NEAL of Massachusetts. Madam Speaker, I urge adoption of the resolution and yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 976, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HELLER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.R. 4314 will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 3714, if ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 214, not voting 3, as follows:

[Roll No. 988]

AYES—218

Abercrombie
Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Klein (FL)
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—214

Aderholt
Adler (NJ)
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Grayson
Griffith
Guthrie
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hodes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Massa
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meek (FL)

Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Owens
Paul
Paulsen
Pence
Perriello
Peters
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Turner
Upton
Visclosky
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—3

Radanovich
Speier
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1625

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DANIEL PEARL FREEDOM OF THE PRESS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3714, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 3714, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Ms. DEGETTE. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 403, noes 12, not voting 19, as follows:

[Roll No. 989]

AYES—403

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Weiner
Welch
Westmoreland
Wexler
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOES—12

Barton (TX)
Broun (GA)
Brown-Waite, Ginny
Conaway
Duncan
Foxx
Garrett (NJ)
Gohmert
Lummis
Marchant
McClintock
Paul

NOT VOTING—19

Bishop (UT)
Boehner
Buyer
Jordan (OH)
Kilpatrick (MI)
King (IA)
Lowey
Maffei
Murphy (NY)
Murtha
Peterson
Radanovich
Speier
Titus
Wasserman Schultz
Waxman
Whitfield
Wilson (OH)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1636

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RADANOVICH. Madam Speaker, I was unable to make today's votes on the House floor due to a family illness. Had I been present I would have voted as follows:

''Present'' on rollcall vote No. 987, on the Quorum call.

''No'' on rollcall vote No. 988, the motion to adopt H.R. 4314, to permit continued financing of government operations which is done by increasing the national debt limit.

''Yes'' on rollcall vote No. 989, to suspend the rules and adopt H.R. 3714, the Daniel Pearl Freedom of the Press Act of 2009.

JOBS FOR MAIN STREET ACT, 2010

Mr. OBEY. Madam Speaker, pursuant to House Resolution 976, I call up the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes,

with a Senate amendment thereto, and offer the motion at the desk.

The SPEAKER pro tempore. The Clerk will report the title of the bill, designate the Senate amendment, and designate the motion.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $455,704,000, to remain available until September 30, 2011, of which $9,439,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That not less than $49,530,000 shall be for Manufacturing and Services; not less than $43,212,000 shall be for Market Access and Compliance; not less than $68,290,000 shall be for the Import Administration; not less than $257,938,000 shall be for the Trade Promotion and United States and Foreign Commercial Service; and not less than $27,295,000 shall be for Executive Direction and Administration: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities: Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107–210, to maintain strong U.S. remedies laws, correct the problem of overreaching by World Trade Organization Panels and Appellate Body, and prevent the creation of obligation never negotiated or expressly agreed to by the United States: Provided further, That within the amounts appropriated, $1,500,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $100,342,000, to remain available until expended, of which $14,767,000 shall be for inspections and other activities related to national security: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, $200,000,000, to remain available until expended: Provided, That of the amounts provided, no more than $4,000,000 may be transferred to ''Economic Development Administration, Salaries and Expenses'' to conduct management oversight and administration of public works grants.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $38,000,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $31,200,000: Provided, That within the amounts appropriated, $200,000 shall be used for the projects, and in the amounts, specified in the table entitled, ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $100,600,000, to remain available until September 30, 2011.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $259,024,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law, $7,065,707,000, to remain available until September 30, 2011: Provided, That none of the funds provided in this or any other Act for any fiscal year may be used for the collection of census data on race identification that does not include ''some other race'' as a category: Provided further, That from amounts provided herein, funds may be used for additional promotion, outreach, and marketing activities.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $19,999,000, to remain available until September 30, 2011: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of grants, authorized by section 392 of the Communications Act of 1934, $20,000,000, to remain available until expended as authorized by section 391 of the Act: Provided, That not to exceed $2,000,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $1,930,361,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2010, so as to result in a fiscal year 2010 appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2010, should the total amount of offsetting fee collections be less than $1,930,361,000, this amount shall be reduced accordingly: Provided further, That of the amount received in excess of $1,930,361,000 in fiscal year 2010, in an amount up to $100,000,000 shall remain until expended: Provided further, That from amounts provided herein, not to exceed $1,000 shall be made available in fiscal year

2010 for official reception and representation expenses: Provided further, That of the amounts provided to the USPTO within this account, $25,000,000 shall not become available for obligation until the Director of the USPTO has completed a comprehensive review of the assumptions behind the patent examiner expectancy goals and adopted a revised set of expectancy goals for patent examination: Provided further, That in fiscal year 2010 from the amounts made available for ''Salaries and Expenses'' for the USPTO, the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts: Provided further, That sections 801, 802, and 803 of division B, Public Law 108–447 shall remain in effect during fiscal year 2010: Provided further, That the Director may, this year, reduce by regulation fees payable for documents in patent and trademark matters, in connection with the filing of documents filed electronically in a form prescribed by the Director: Provided further, That $2,000,000 shall be transferred to ''Office of Inspector General'' for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $520,300,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the ''Working Capital Fund'': Provided, That not to exceed $5,000 shall be for official reception and representation expenses: Provided further, That within the amounts appropriated, $10,500,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, $124,700,000, to remain available until expended. In addition, for necessary expenses of the Technology Innovation Program of the National Institute of Standards and Technology, $69,900,000, to remain available until expended.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $163,900,000, to remain available until expended: Provided, That within the amounts appropriated, $47,000,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act: Provided further, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,301,131,000, to remain available until September 30, 2011, except for funds provided for cooperative enforcement, which shall remain available until September 30, 2012: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, $3,000,000 shall be derived by transfer from the fund entitled ''Coastal Zone Management'' and in addition $104,600,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': Provided further, That of the $3,304,131,000 provided for in direct obligations under this heading $3,301,131,000 is appropriated from the general fund, $3,000,000 is provided by transfer: Provided further, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $226,809,000: Provided further, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed $36,583,000: Provided further, That within the amounts appropriated, $57,725,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,397,685,000, to remain available until September 30, 2012, except funds provided for construction of facilities which shall remain available until expended: Provided, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar-for-dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That the Secretary of Commerce is authorized to enter into a lease, at no cost to the United States Government, with the Regents of the University of Alabama for a term of not less than 55 years, with two successive options each of 5 years, for land situated on the campus of University of Alabama in Tuscaloosa to house the Cooperative Institute and Research Center for Southeast Weather and Hydrology: Provided further, That within the amounts appropriated, $19,000,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $80,000,000, to remain available until September 30, 2011: Provided, That of the funds provided herein the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and federally recognized tribes of the Columbia River and Pacific Coast for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: Provided further, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

COASTAL ZONE MANAGEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed $3,000,000 shall be transferred to the ''Operations, Research, and Facilities'' account to offset the costs of implementing such Act.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2010, obligations of direct loans may not exceed $16,000,000 for Individual Fishing Quota loans and not to exceed $59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: Provided, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $5,000 for official reception and representation, $61,000,000: Provided, That the Secretary, within 120 days of enactment of this Act, shall provide a report to the Committee on Appropriations of the Senate that audits and evaluates all decision documents and expenditures by the Bureau of the Census as they relate to the 2010 Census: Provided further, That of the amounts

provided to the Secretary within this account, $5,000,000 shall not become available for obligation until the Secretary certifies to the Committee on Appropriations of the Senate that the Bureau of the Census has followed and met all standards and best practices, and all Office of Management and Budget guidelines related to information technology projects and contract management.

HERBERT C. HOOVER BUILDING RENOVATION AND MODERNIZATION

For expenses necessary, including blast windows, for the renovation and modernization of the Herbert C. Hoover Building, $22,500,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $27,000,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce: Provided further, That for the National Oceanic and Atmospheric Administration this section shall provide for transfers among appropriations made only to the National Oceanic and Atmospheric Administration and such appropriations may not be transferred and reprogrammed to other Department of Commerce bureaus and appropriation accounts.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. The requirements set forth by section 112 of division B of Public Law 110–161 are hereby adopted by reference.

SEC. 106. Notwithstanding any other law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms or organizations are authorized pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, as amended, on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. With the consent of the President, the Secretary of Commerce shall represent the United States Government in negotiating and monitoring international agreements regarding fisheries, marine mammals, or sea turtles: Provided, That the Secretary of Commerce shall be responsible for the development and interdepartmental coordination of the policies of the United States with respect to the international negotiations and agreements referred to in this section.

SEC. 108. Section 101(k) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended by striking ''2009'' and inserting ''2011''.

SEC. 109. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 110. The National Marine Fisheries Service is authorized to accept land, buildings, equipment, and other contributions including funding, from public and private sources, which shall be available until expended without further appropriation to conduct work associated with existing authorities.

This title may be cited as the ''Department of Commerce Appropriations Act, 2010''.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $118,488,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended: Provided, That the Attorney General is authorized to transfer funds appropriated within General Administration to any office in this account: Provided further, That $18,693,000 is for Department Leadership; $8,101,000 is for Intergovernmental Relations/External Affairs; $12,715,000 is for Executive Support/Professional Responsibility; and $78,979,000 is for the Justice Management Division: Provided further, That any change in amounts specified in the preceding proviso greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations consistent with the terms of section 505 of this Act: Provided further, That this transfer authority is in addition to transfers authorized under section 505 of this Act.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $95,000,000, to remain available until expended, of which $21,132,000 is for the unified financial management system.

TACTICAL LAW ENFORCEMENT WIRELESS COMMUNICATIONS

For the costs of developing and implementing a nation-wide Integrated Wireless Network supporting Federal law enforcement communications, and for the costs of operations and maintenance of existing Land Mobile Radio legacy systems, $206,143,000, to remain available until expended: Provided, That the Attorney General shall transfer to this account all funds made available to the Department of Justice for the purchase of portable and mobile radios: Provided further, That any transfer made under the preceding proviso shall be subject to section 505 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $300,685,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the ''Immigration Examinations Fee'' account.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee, $1,438,663,000, to remain available until expended: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System: Provided further, That not to exceed $5,000,000 shall be considered ''funds appropriated for State and local law enforcement assistance'' pursuant to 18 U.S.C. 4013(b).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $84,368,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character, of which $2,000,000 is designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $12,859,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $875,097,000, of which $2,500,000 is designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; and of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the total amount appropriated, not to exceed $10,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with

the procedures set forth in that section: Provided further, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): Provided further, That of the amounts provided under this heading for the election monitoring program $3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $163,170,000, to remain available until expended: Provided, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $102,000,000 in fiscal year 2010), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2010, so as to result in a final fiscal year 2010 appropriation from the general fund estimated at $61,170,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,926,003,000: Provided, That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $25,000,000 shall remain available until expended: Provided further, That of the amount provided under this heading, not less than $36,980,000 shall be used for salaries and expenses for assistant U.S. Attorneys to carry out section 704 of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) concerning the prosecution of offenses relating to the sexual exploitation of children.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $224,488,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $210,000,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2010, so as to result in a final fiscal year 2010 appropriation from the Fund estimated at $9,488,000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,117,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $168,300,000, to remain available until expended: Provided, That not to exceed $10,000,000 may be made available for construction of buildings for protected witness safesites: Provided further, That not to exceed $3,000,000 may be made available for the purchase and maintenance of armored and other vehicles for witness security caravans: Provided further, That not to exceed $11,000,000 may be made available for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $11,479,000: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), $20,990,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,125,763,000; of which not to exceed $30,000 shall be available for official reception and representation expenses; of which not to exceed $4,000,000 shall remain available until expended for information technology systems.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $26,625,000, to remain available until expended; and of which not less than $12,625,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, $87,938,000; of which not to exceed $5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $515,000,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; $7,668,622,000, of which $101,066,000 is designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; and of which not to exceed $150,000,000 shall remain available until expended: Provided, That not to exceed $205,000 shall be available for official reception and representation expenses: Provided further, That notwithstanding section 205 of this Act, the Director of the Federal Bureau of Investigation, upon a determination that additional funding is necessary to carry out construction of the Biometrics Technology Center, may transfer from amounts available for ''Salaries and Expenses'' to amounts available for ''Construction'' up to $30,000,000 in fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs: Provided further, That any transfer made pursuant to the previous proviso shall be subject to section 505 of this Act.

CONSTRUCTION

For all necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of federally owned buildings; and preliminary planning and design of projects; $244,915,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,014,682,000; of which $10,000,000 is designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; and of which not to exceed $75,000,000 shall remain available until expended; and of which not to exceed $100,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, not to exceed $40,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,114,772,000, of which

not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code; and of which $10,000,000 shall remain available until expended: Provided, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 478.118 or to change the definition of ''Curios or relics'' in 27 CFR 478.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments in fiscal year 2010: Provided further, That, beginning in fiscal year 2010 and thereafter, no funds appropriated under this or any other Act may be used to disclose part or all of the contents of the Firearms Trace System database maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives or any information required to be kept by licensees pursuant to section 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of such section 923(g), except to: (1) a Federal, State, local, tribal, or foreign law enforcement agency, or a Federal, State, or local prosecutor; or (2) a foreign law enforcement agency solely in connection with or for use in a criminal investigation or prosecution; or solely in connection with and for use in a criminal investigation or prosecution; or (3) a Federal agency for a national security or intelligence purpose; unless such disclosure of such date to any of the entities described in (1), (2) or (3) of this proviso would compromise the identity of any undercover law enforcement officer or confidential informant, or interfere with any case under investigation; and no person or entity described in (1), (2) or (3) shall knowingly or publicly disclose such data; and all such data shall be immune from legal process, shall not be subject to subpoena or other discovery, shall be inadmissible in evidence, and shall not be used, relied on, or disclosed in any manner, nor shall testimony or other evidence be permitted based on the data, in a civil action in any State (including the District of Columbia) or Federal court or in an administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives to enforce the provisions of chapter 44 of such title, or a review of such an action or proceeding; except that this proviso shall not be construed to prevent: (A) the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(9) of such title) and licensed manufacturer (as defined in section 921(a)(10) of such title); (B) the sharing or exchange of such information among and between Federal, State, local, or foreign law enforcement agencies, Federal, State, or local prosecutors, and Federal national security, intelligence, or counterterrorism officials; or (C) the publication of annual statistical reports on products regulated by the Bureau of Alcohol, Tobacco, Firearms and Explosives, including total production, importation, and exportation by each licensed importer (as so defined) and licensed manufacturer (as so defined), or statistical aggregate data regarding firearms traffickers and trafficking channels, or firearms misuse, felons, and trafficking investigations: Provided further, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites to purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally owned buildings; and preliminary planning and design of projects; $6,000,000, to remain until expended.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 831, of which 743 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $5,979,831,000, of which $10,500,000 is designated as being for overseas deployments and other activities pursuant to sections 401(c)(4) and 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2011: Provided further, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $99,155,000, to remain available until expended, of which not less than $73,769,000 shall be available only for modernization, maintenance and repair, and of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); and for related victims services, $435,000,000, to remain available until expended: Provided, That except as otherwise provided by law, not to exceed 3 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: Provided further, That of the amount provided (which shall be by transfer, for programs administered by the Office of Justice Programs)—

(1) $15,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(2) $2,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

(3) $200,000,000 for grants to combat violence against women, as authorized by part T of the 1968 Act, of which—

(A) $18,000,000 shall be for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act; and

(B) $2,000,000 shall be for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women;

(4) $60,000,000 for grants to encourage arrest policies as authorized by part U of the 1968 Act;

(5) $15,000,000 for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(6) $41,000,000 for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(7) $3,000,000 for training programs as authorized by section 40152 of the 1994 Act, and for related local demonstration projects;

(8) $3,000,000 for grants to improve the stalking and domestic violence databases, as authorized by section 40602 of the 1994 Act;

(9) $9,500,000 for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(10) $45,000,000 for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(11) $4,250,000 for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(12) $14,000,000 for the safe havens for children program, as authorized by section 1301 of the 2000 Act;

(13) $6,750,000 for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(14) $3,000,000 for an engaging men and youth in prevention program, as authorized by section 41305 of the 1994 Act;

(15) $1,000,000 for analysis and research on violence against Indian women, as authorized by section 904 of the 2005 Act;

(16) $1,000,000 for tracking of violence against Indian women, as authorized by section 905 of the 2005 Act;

(17) $3,500,000 for services to advocate and respond to youth, as authorized by section 41201 of the 1994 Act;

(18) $3,000,000 for grants to assist children and youth exposed to violence, as authorized by section 41303 of the 1994 Act;

(19) $3,000,000 for the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(20) $500,000 for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act; and

(21) $1,000,000 for grants for televised testimony, as authorized by part N of title I of the 1968 Act.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968; the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296), which may include research and development; and other programs (including the Statewide Automated Victim Notification Program); $215,000,000, to remain available until expended, of which:

(1) $40,000,000 is for criminal justice statistics programs, pursuant to part C of the 1968 Act, of which $35,000,000 is for the National Crime Victimization Survey;

(2) $48,000,000 is for research, development, and evaluation programs;

(3) $12,000,000 is for the Statewide Victim Notification System of the Bureau of Justice Assistance;

(4) $45,000,000 is for the Regional Information System Sharing System, as authorized by part M of title I of the 1968 Act; and

(5) $70,000,000 is for the Missing Children's Program.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248); the Second Chance Act of 2007 (Public Law 110–199); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); and other programs; $1,159,000,000, to remain available until expended as follows:

(1) $510,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act, (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of the 1968 Act, shall not apply for purposes of this Act), of which $5,000,000 is for use by the National Institute of Justice in assisting units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement, $2,000,000 is for a program to improve State and local law enforcement intelligence capabilities including anti-terrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, $10,000,000 is to support the Nationwide Pegasus Program in coordination with the National Sheriff's Association, for rural and non-urban law enforcement databases and connectivity to enhance information sharing technology capacity, and $10,000,000 is for implementation of a student loan repayment assistance program pursuant to section 952 of Public Law 110–315;

(2) $178,500,000 for discretionary grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation): Provided, That within the amounts appropriated, $178,500,000 shall be used for the projects, and in the amounts specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act;

(3) $40,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation) of which $8,000,000 shall be available for the SMART Office activities and $2,000,0000 shall be available for grants to States and local law enforcement agencies as authorized by section 5 of Public Law 110–344;

(4) $2,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(5) $15,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386 and for programs authorized under Public Law 109–164;

(6) $40,000,000 for Drug Courts, as authorized by section 1001(25)(A) of title I of the 1968 Act;

(7) $5,000,000 for prison rape prevention and prosecution and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79);

(8) $20,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(9) $50,000,000 for offender re-entry programs, as authorized by the Second Chance Act of 2007 (Public Law 110–199), of which $25,000,000 is for grants for adult and juvenile offender State, tribal and local reentry demonstration projects, $15,000,000 is for grants for mentoring and transitional services and $5,000,000 is for family-based substance abuse treatment;

(10) $5,500,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405;

(11) $10,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(12) $30,000,000 for assistance to Indian tribes, of which—

(A) $10,000,000 shall be available for grants under section 20109 of subtitle A of title II of the 1994 Act;

(B) $10,000,000 shall be available for the Tribal Courts Initiative;

(C) $7,000,000 shall be available for tribal alcohol and substance abuse reduction assistance grants; and

(D) $3,000,000 shall be available for training and technical assistance and civil and criminal legal assistance as authorized by title I of Public Law 106–559;

(13) $228,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)); and

(14) $25,000,000 for the Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments for costs associated with the prosecution of criminal cases declined by local offices of the United States Attorneys: Provided, That no less than $20,000,000 shall be for prosecution efforts on the Southern border: Provided further, That no less than $5,000,000 shall be for prosecution efforts on the Northern border:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Office of Weed and Seed Strategies, $20,000,000, to remain available until expended, as authorized by section 103 of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''), the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public

Law 101–647); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248); the PROTECT Our Children Act of 2008 (Public Law 110–401), and other juvenile justice programs, $407,000,000, to remain available until expended as follows:

(1) $75,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, non-profit organizations with the Federal grants process: Provided, That no less than $5,000,000 shall be for the Safe Start Program, as authorized by the 1974 Act;

(2) $82,000,000 for grants and projects, as authorized by sections 261 and 262 of the 1974 Act: Provided, That within the amounts appropriated, $82,000,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act;

(3) $100,000,000 for youth mentoring grants;

(4) $65,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $25,000,000 shall be for the Tribal Youth Program;

(B) $10,000,000 shall be for a gang education initiative; and

(C) $25,000,000 shall be for grants of $360,000 to each State and $4,840,000 shall be available for discretionary grants, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(5) $25,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; and

(6) $60,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act and Guam shall be considered a State:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: Provided further, That not more than 2 percent of each amount may be used for training and technical assistance: Provided further, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums as are necessary (including amounts for administrative costs, which amounts shall be paid to the ''Salaries and Expenses'' account); and $5,000,000 for payments authorized by section 1201(b) of such Act; and $4,100,000 for educational assistance, as authorized by section 1218 of such Act, to remain available until expended.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296), which may include research and development; and the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (the ''Adam Walsh Act''); and the Justice for All Act of 2004 (Public Law 108–405), $658,500,000, to remain available until expended: Provided, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act. Of the amount provided (which shall be by transfer, for programs administered by the Office of Justice Programs)—

(1) $30,000,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: Provided, That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards from the Community Oriented Policing Services Office for research, testing, and evaluation programs;

(2) $39,500,000 for grants to entities described in section 1701 of title I of the 1968 Act, to address public safety and methamphetamine manufacturing, sale, and use in hot spots as authorized by section 754 of Public Law 109–177, and for other anti-methamphetamine-related activities: Provided, That within the amounts appropriated, $34,500,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act;

(3) $187,000,000 for a law enforcement technologies and interoperable communications program, and related law enforcement and public safety equipment: Provided, That within the amounts appropriated, $187,000,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act;

(4) $10,000,000 for grants to assist States and tribal governments as authorized by the NICS Improvements Amendments Act of 2007 (Public Law 110–180);

(5) $10,000,000 for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601);

(6) $166,000,000 for DNA related and forensic programs and activities as follows:

(A) $151,000,000 for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities including the purposes of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program);

(B) $5,000,000 for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108–405, section 412);

(C) $5,000,000 for Sexual Assault Forensic Exam Program Grants as authorized by Public Law 108–405, section 304; and

(D) $5,000,000 for DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers as authorized by Public Law 108–405, section 303;

(7) $20,000,000 for improving tribal law enforcement, including equipment and training;

(8) $15,000,000 for programs to reduce gun crime and gang violence;

(9) $10,000,000 for training and technical assistance;

(10) $20,000,000 for a national grant program the purpose of which is to assist State and local law enforcement to locate, arrest and prosecute child sexual predators and exploiters, and to enforce sex offender registration laws described in section 1701(b) of the 1968 Act, of which:

(A) $5,000,000 for sex offender management assistance as authorized by the Adam Walsh Act and the Violent Crime Control Act of 1994 (Public Law 103–322); and

(B) $1,000,000 for the National Sex Offender Public Registry;

(11) $16,000,000 for expenses authorized by part AA of the 1968 Act (Secure our Schools);

(12) $35,000,000 for Paul Coverdell Forensic Science Improvement Grants under part BB of title I of the 1968 Act; and

(13) $100,000,000 for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsections (g) and (i) of such section and notwithstanding 42 U.S.C. 3796dd–3(c).

SALARIES AND EXPENSES

For necessary expenses, not elsewhere specified in this title, for management and administration of programs within the Office on Violence Against Women, the Office of Justice Programs and the Community Oriented Policing Services Office, $179,000,000, of which not to exceed $15,708,000 shall be available for the Office on Violence Against Women; not to exceed $125,830,000 shall be available for the Office of Justice Programs; not to exceed $37,462,000 shall be available for the Community Oriented Policing Services Office: Provided, That, notwithstanding section 109 of title I of Public Law 90–351, an additional amount, not to exceed $21,000,000 shall be available for authorized activities of the Office of Audit, Assessment, and Management: Provided further, That the total amount available for management and administration of such programs shall not exceed $200,000,000.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $75,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2011, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107–296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

SEC. 207. Notwithstanding any other provision of law, Public Law 102–395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be

used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for Sentinel, or for any other major new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations that the information technology program has appropriate program management and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of 28 U.S.C. 545.

SEC. 214. None of the funds appropriated in this or any other Act shall be obligated for the initiation of a future phase of the Federal Bureau of Investigation's Sentinel program until the Attorney General certifies to the Committees on Appropriations that existing phases currently under contract for development or fielding have completed a majority of the work for that phase under the performance measurement baseline validated by the integrated baseline review conducted in 2008: Provided, That this restriction does not apply to planning and design activities for future phases: Provided further, That the Bureau will notify the Committees on Appropriations of any significant changes to the baseline.

SEC. 215. In addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this Act under the headings ''Justice Assistance'', ''State and Local Law Enforcement Assistance'', ''Weed and Seed'', ''Juvenile Justice Programs'', and ''Community Oriented Policing Services''—

(1) Up to 3 percent of funds made available to the Office of Justice Programs for grants or reimbursement may be used to provide training and technical assistance; and

(2) Up to 1 percent of funds made available to such Office for formula grants under such headings may be used for research or statistical purposes by the National Institute of Justice or the Bureau of Justice Statistics, pursuant to, respectively, sections 201 and 202, and sections 301 and 302 of title I of Public Law 90–351.

SEC. 216. Section 5759(e) of title 5, United States Code, is amended by striking subsection (e).

SEC. 217. (a) The Attorney General shall submit quarterly reports to the Inspector General of the Department of Justice regarding the costs and contracting procedures relating to each conference held by the Department of Justice during fiscal year 2010 for which the cost to the Government was more than $20,000.

(b) Each report submitted under subsection (a) shall include, for each conference described in that subsection held during the applicable quarter—

(1) a description of the subject of and number of participants attending that conference;

(2) a detailed statement of the costs to the Government relating to that conference, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services; and

(C) a discussion of the methodology used to determine which costs relate to that conference; and

(3) a description of the contracting procedures relating to that conference, including—

(A) whether contracts were awarded on a competitive basis for that conference; and

(B) a discussion of any cost comparison conducted by the Department of Justice in evaluating potential contractors for that conference.

SEC. 218. (a) Subchapter IV of chapter 57 of title 5, United States Code, is amended by adding at the end of the following:

''§5761. Foreign language proficiency pay awards for the Federal Bureau of Investigation

''The Director of the Federal Bureau of Investigation may, under regulations prescribed by the Director, pay a cash award of up to 10 percent of basic pay to any Bureau employee who maintains proficiency in a language or languages critical to the mission or who uses one or more foreign languages in the performance of official duties.''.

(b) The analysis for chapter 57 of title 5, United States Code, is amended by adding at the end the following:

''5761. Foreign language proficiency pay awards for the Federal Bureau of Investigation.''

SEC. 219. The Attorney General is authorized to waive the application of 42 U.S.C. 3755(d)(2)(A) with respect to grants made to units of local government pursuant to 42 U.S.C. 3755(d)(1), if such units of local government were eligible to receive such grants under the transitional rule in 42 U.S.C. 3755(d)(2)(B).

This title may be cited as the ''Department of Justice Appropriations Act, 2010''.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $6,154,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $4,517,000,000, to remain available until September 30, 2011.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $507,000,000, to remain available until September 30, 2011.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities; program management, personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $3,940,400,000, to remain available until September 30, 2011.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities including operations, production, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $6,161,600,000, to remain available until September 30, 2011.

EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, uniforms

or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $140,100,000, to remain available until September 30, 2011.

CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $70,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $3,383,500,000, to remain available until September 30, 2011: Provided, That within the amounts appropriated $47,000,000 shall be used for the projects, and in the amounts, specified in the table entitled ''Congressionally designated projects'' in the report of the Committee on Appropriations of the Senate to accompany this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $36,400,000, to remain available until September 30, 2011.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the duration of availability of funds appropriated to the National Aeronautics and Space Administration for any account in this Act, except for ''Office of Inspector General'', when any activity has been initiated by the incurrence of obligations for environmental compliance and restoration activities as authorized by law, such amount available for such activity shall remain available until expended.

Notwithstanding the limitation on the availability of funds appropriated to the National Aeronautics and Space Administration for any account in this Act, except for ''Office of Inspector General'', the amounts appropriated for construction of facilities shall remain available until September 30, 2014.

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

Notwithstanding any other provision of law, no funds shall be used to implement any Reduction in Force or other involuntary separations (except for cause) by the National Aeronautics and Space Administration prior to September 30, 2010.

The unexpired balances of the Science, Aeronautics, and Exploration account, for activities for which funds are provided under this Act, may be transferred to the new accounts established in this Act that provide such activity. Balances so transferred shall be merged with the funds in the newly established accounts, but shall be available under the same terms, conditions and period of time as previously appropriated.

Funding designations and minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this title for the National Aeronautics and Space Administration.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,618,000,000, to remain available until September 30, 2011, of which not to exceed $570,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: Provided, That from funds specified in the fiscal year 2010 budget request for icebreaking services, $54,000,000 shall be transferred to the U.S. Coast Guard ''Operating Expenses'': Provided further, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That not less than $147,800,000 shall be available for activities authorized by section 7002(c)(2)(A)(iv) of Public Law 110–69.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including authorized travel, $122,290,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, $857,760,000, to remain available until September 30, 2011: Provided, That not less than $55,000,000 shall be available until expended for activities authorized by section 7030 of Public Law 110–69.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $300,370,000: Provided, That contracts may be entered into under this heading in fiscal year 2010 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,340,000: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $14,000,000.

This title may be cited as the ''Science Appropriations Act, 2010''.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,400,000: Provided, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–23); the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; and not to exceed $30,000,000 for payments to State and local enforcement agencies for authorized services to the Commission, $367,303,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds: Provided further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the House and Senate Committees on Appropriations have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: Provided further, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $82,700,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $400,000,000, of which $374,600,000 is for basic field programs and required independent audits; $4,000,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients;

$17,000,000 is for management and grants oversight; $3,400,000 is for client self-help and information technology; and $1,000,000 is for loan repayment assistance: Provided, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by 5 U.S.C. 5304, notwithstanding section 1005(d) of the Legal Services Corporation Act, 42 U.S.C. 2996(d).

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2009 and 2010, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, $3,250,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $48,326,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $124,000 shall be available for official reception and representation expenses: Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107–210 to maintain strong U.S. remedies laws, correct the problem of overreaching by World Trade Organization Panels and Appellate Body, and prevent the creation of obligation never negotiated or expressly agreed to by the United States.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et. seq.) $5,000,000, of which $500,000 shall remain available until September 30, 2011: Provided, That not to exceed $3,000 shall be available for official reception and representation expenses.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2009, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through the reprogramming of funds that:

(1) creates or initiates a new program, project or activity;

(2) eliminates a program, project or activity, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted by this Act, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(4) relocates an office or employees, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(5) reorganizes or renames offices, programs or activities, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(6) contracts out or privatizes any functions or activities presently performed by Federal employees, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(7) proposes to use funds directed for a specific activity by either the House or Senate Committee on Appropriations for a different purpose, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(8) augments funds for existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; or

(9) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through the reprogramming of funds after August 1, except in extraordinary circumstances, and only after the House and Senate Committees on Appropriations are notified 30 days in advance of such reprogramming of funds.

SEC. 506. Hereafter, none of the funds made available in this or any other Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 507. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 508. The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration, shall provide to the House and Senate Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 509. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 510. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 511. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

SEC. 512. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than $705,000,000 during fiscal year 2010 from the fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601): Provided, That hereafter the availability of funds under section 1402(d)(3) to improve services shall be understood to mean availability for pay or salary, including benefits for the same.

SEC. 513. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 514. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 515. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 516. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 517. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 518. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 519. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 520. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 521. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 522. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 523. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 524. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 525. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for fiscal year 2010.

SEC. 526. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 527. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

SEC. 528. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 529. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 530. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States.

(RESCISSIONS)

SEC. 531. (a) Of the unobligated balances available to the Department of Justice from prior appropriations, the following funds are hereby rescinded, not later than September 30, 2010, from the following accounts in the specified amounts:

(1) ''Legal Activities, Assets Forfeiture Fund'', $379,000,000, of which $136,000,000 shall be permanently rescinded and returned to the general fund;

(2) ''Office of Justice Programs'', $42,000,000; and

(3) ''Community Oriented Policing Services'', $40,000,000.

(b) The Department of Justice shall, within 30 days of enactment of this Act, submit to the Committee on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section.

(c) The recissions contained in this section shall not apply to funds provided in this Act.

SEC. 532. Section 504(a) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (as contained in Public Law 104–134) is amended:

(1) in subsection (a), in the matter preceding paragraph (1), by inserting after ''(''' the following: ''that uses Federal funds (or funds from any source with regard to paragraphs (14) and (15)) in a manner'';

(2) by striking subsection (d); and

(3) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

SEC. 533. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

REVIEW AND AUDIT OF ACORN FEDERAL FUNDING

SEC. 534. (a) REVIEW AND AUDIT.—The Comptroller General of the United States shall conduct a review and audit of Federal funds received by the Association of Community Organizations for Reform Now (referred to in this section as ''ACORN'') or any subsidiary or affiliate of ACORN to determine—

(1) whether any Federal funds were misused and, if so, the total amount of Federal funds involved and how such funds were misused;

(2) what steps, if any, have been taken to recover any Federal funds that were misused;

(3) what steps should be taken to prevent the misuse of any Federal funds; and

(4) whether all necessary steps have been taken to prevent the misuse of any Federal funds.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the audit required under subsection (a), along with recommendations for Federal agency reforms.

This Act may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010''.

MOTION OFFERED BY MR. OBEY

The text of the motion is as follows:

Mr. OBEY moves that the House concur in the Senate amendment to H.R. 2847 with the amendment printed in part B of House Report 111–380.

The SPEAKER pro tempore. The House amendment to the Senate amendment to the bill H.R. 2847 contains an emergency designation for purposes of pay-as-you-go principles.

Accordingly, the Chair must put the question of consideration under clause 10(c)(3) of rule XXI.

The question is, Will the House now consider the motion to concur in the Senate amendment with an amendment?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 976, the amendment printed in part B of House Report 111–380 and the motion shall be considered as read.

The text of the amendment is as follows:

Amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I—INFRASTRUCTURE AND JOBS INVESTMENT

CHAPTER 1—JUSTICE

DEPARTMENT OF JUSTICE

COMMUNITY ORIENTED POLICING SERVICES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Community Oriented Policing Services'', for grants under section 1701 of title I of the 1968 Omnibus Crime Control and Safe Streets Act (42 U.S.C. 3796dd) for hiring and rehiring of additional career law enforcement officers under part Q of such title, notwithstanding subsection (i) of such section, $1,179,000,000, of which $2,950,000 shall be transferred to ''State and Local Law Enforcement Activities, Salaries and Expenses'' for management, administration and oversight of such grants.

CHAPTER 2—ENERGY AND WATER DEVELOPMENT

CORPS OF ENGINEERS—CIVIL WORKS

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL CONSTRUCTION

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Construction'', $715,000,000: Provided, That section 102 of Public Law 109–103 (33 U.S.C. 2221) shall not apply to funds provided in this title: Provided further, That not less than $30,000,000 of the funds provided shall be for water-related environmental infrastructure assistance: Provided further, That up to $30,000,000 of the funds provided under this heading may be transferred to ''Mississippi Rivers and Tributaries'' for authorized projects and activities: Provided further, That notwithstanding any other provision of law, funds provided under this heading shall not be cost shared with the Inland Waterways Trust Fund as authorized in Public Law 99–662: Provided further, That funds provided under this heading shall only be allocated to programs, projects or activities that heretofore received funds provided in Acts making appropriations available for Energy and Water Development and that are selected using only the fallowing criteria in order of priority: programs, projects or activities that can be commenced quickly; programs, projects or activities that will create immediate employment; programs, projects or activities that will be executed by contract or direct hire of temporary labor; and programs, projects or activities that are located in a State with high unemployment: Provided further, That the limitation concerning total project costs in section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280), shall not apply during fiscal years 2010 and 2011 for any project receiving funds provided in this title: Provided further, That for projects that are being completed with funds appropriated in this paragraph that would otherwise be expired for obligation, expired funds appropriated in this paragraph may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any: Provided further, That funds made available under this heading shall be apportioned by the Office of Management and Budget not later than 30 days after the date of enactment of this Act and allocated by the Secretary of the Army to specific programs, projects or activities not later than 45 days after the date of enactment of this Act: Provided further, That the Secretary of the Army shall submit a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation, obligation and expenditures of these funds, including an explanation of how each selected program, project or activity fulfills the funding criteria above, beginning not later than 45 days after the date of enactment of this Act: Provided further, That the Secretary shall have unlimited reprogramming authority for the funds provided under this heading: Provided further, That up to 0.5 percent of funds provided under this heading may be transferred to ''Expenses'' for the purposes of management and oversight of the programs, projects or activities funded by this paragraph.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Water and Related Resources'', $100,000,000: Provided, That of the amount appropriated under this heading, not less than $26,000,000 shall be used for water reclamation and reuse projects authorized under title XVI of Public Law 102–575: Provided further, That up to $30,000,000 of the funds provided under this heading may be used for programs, projects, and activities authorized by Public Law 108–361 and up to $10,000,000 of the funds provided under this heading may be transferred to the Department of the Interior for programs, projects, and activities authorized by titles II–V of Public Law 102–575: Provided further, That funds provided under this heading shall only be allocated to programs, projects or activities that heretofore received funds provided in Acts making appropriations available for Energy and Water Development: Provided further, That for projects that are being completed with funds appropriated in this paragraph that would otherwise be expired for obligation, expired funds appropriated in this paragraph may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any: Provided further, That the Secretary of the Interior shall submit a quarterly report to the Committees on Appropriations of

the House of Representatives and the Senate detailing the allocation, obligation and expenditures of these funds, beginning not later than 45 days after the date of enactment of this Act: Provided further, That the Secretary shall have unlimited reprogramming authority for the funds provided under this heading: Provided further, That up to 0.5 percent of funds appropriated under this heading may be transferred to ''Policy and Administration'' for the purposes of management and oversight of the programs, projects, or activities funded by this paragraph.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

For an additional amount for ''Title 17 Innovative Technology Loan Guarantee Program'' for the cost of guaranteed loans authorized by section 1705 of the Energy Policy Act of 2005, $2,000,000,000, available until expended: Provided, That the cost of such loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

GENERAL PROVISION, THIS CHAPTER

INCENTIVES FOR INNOVATIVE TECHNOLOGIES LOAN GUARANTEE PROGRAM

SEC. 1201. (a) SPECIFIC APPROPRIATION OR CONTRIBUTION.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—

''(1) IN GENERAL.—No guarantee shall be made unless—

''(A) an appropriation for the cost has been made;

''(B) the Secretary has received from the borrower a payment in full for the cost of the obligation and deposited the payment into the Treasury; or

''(C) a combination of appropriations or payments from the borrower has been made sufficient to cover the cost of the obligation.

''(2) LIMITATION.—The source of payments received from a borrower under paragraph (1)(B) or (C) shall not be a loan or other debt obligation, that is made or guaranteed by the Federal Government.''; and

(2) by adding at the end the following:

''(k) CREDIT REPORT.—If, in the opinion of the Secretary, a third-party credit rating of the applicant or project is not relevant to the determination of the credit risk of a project, if the project costs are not projected to exceed $100,000,000, and the applicant agrees to accept the credit rating assigned to the applicant by the Secretary, the Secretary may waive any otherwise applicable requirement (including any requirement described in part 609 of title 10, Code of Federal Regulations) to provide a third-party credit report.

''(l) DIRECT HIRE AUTHORITY.—

''(1) IN GENERAL.—Notwithstanding section 3304 and sections 3309 through 3318 of title 5, United States Code, the head of the loan guarantee program under this title (referred to in this subsection as the 'Executive Director') may, on a determination that there is a severe shortage of candidates or a severe hiring need for particular positions to carry out the functions of this title, recruit and directly appoint highly qualified critical personnel with specialized knowledge important to the function of the programs under this title into the competitive service.

''(2) EXCEPTION.—The authority granted under paragraph (1) shall not apply to positions in the excepted service or the Senior Executive Service.

''(3) REQUIREMENTS.—In exercising the authority granted under paragraph (1), the Executive Director shall ensure that any action taken by the Executive Director—

''(A) is consistent with the merit principles of section 2301 of title 5, United States Code; and

''(B) complies with the public notice requimments of section 3327 of title 5, United States Code.

''(4) SUNSET.—The authority provided under paragraph (1) shall terminate on January 1, 2011.

''(m) MULTIPLE SITES.—Notwithstanding any contrary requirement (including any provision under part 609.12 of title 10, Code of Federal Regulations) an eligible project may be located on 2 or more non-contiguous sites in the United States.''.

(b) APPLICATIONS FOR MULTIPLE ELIGIBLE PROJECTS.—Section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(e) MULTIPLE APPLICATIONS.—Notwithstanding any contrary requirement (including any provision under part 609.3(a) of title 10, Code of Federal Regulations), a project applicant or sponsor of an eligible project may submit an application for more than 1 eligible project under this section.''.

(c) ENERGY EFFICIENCY LOAN GUARANTEES.—Section 1705(a) of the Energy Policy Act of 2005 (42 U.S.C. 16516(a)) is amended by adding at the end the following:

''(4) Energy efficiency projects, including projects to retrofit residential, commercial, and industrial buildings, facilities, and equipment.''.

CHAPTER 3—HOMELAND SECURITY

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

FIREFIGHTER ASSISTANCE GRANTS

For an additional amount for ''Firefighter Assistance Grants'' for necessary expenses for programs authorized by section 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a), $500,000,000: Provided, That notwithstanding any provision under section 34(a)(1)(A) such Act specifying that grants must be used to increase the number of firefighters in fire departments, the Secretary of Homeland Security, in making grants under section 34 of such Act for fiscal year 2010, shall grant waivers from the requirements of subsections (a)(1)(B), (c)(1), (c)(2), and (c)(4)(A) of such section: Provided further, That section 34(a)(1)(E) of such Act shall not apply with respect to funds appropriated in this or any other Act making appropriations for fiscal year 2010 for grants under section 34 of such Act: Provided further, That the Secretary of Homeland Security, in making grants under section 34 of such Act, shall ensure that funds appropriated under this or any other Act making appropriations for fiscal year 2010 are made available for the retention of firefighters and shall award grants not later than 120 days after the date of enactment of this Act: Provided further, That the Secretary may transfer any unused funds under this heading to make grants for programs authorized by section 33 of such Act (15 U.S.C. 2229) after notification to the Committees on Appropriations of the Senate and the House of Representatives.

CHAPTER 4—INTERIOR AND ENVIRONMENT

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For an additional amount for ''Management of Lands and Resources'', for activities on all Bureau of Land Management lands using term employment, $20,000,000.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for ''Resource Management'', for activities using term employment, $30,000,000.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for ''Operation of the National Park System'', for activities on all national park units using term employment, $50,000,000.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', for hazardous fuels reduction and related activities including necessary inventory and monitoring, using term employment, $20,000,000.

ENVIRONMENTAL PROTECTION AGENCY

STATE AND TRIBAL ASSISTANCE GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''State and Tribal Assistance Grants'', $2,000,000,000, of which $1,000,000,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act and $1,000,000,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: Provided, That the Administrator may retain up to 1 percent of the funds appropriated herein for management and oversight purposes: Provided further, That funds appropriated herein shall not be subject to the matching or cost share requirements of sections 602(b)(2), 602(b)(3) or 202 of the Federal Water Pollution Control Act nor the matching requirements of section 1452(e) of the Safe Drinking Water Act: Provided further, That the Administrator shall reallocate funds appropriated herein for the Clean and Drinking Water State Revolving Funds (Revolving Funds) where projects are not under contract or construction within 8 months of the date of enactment of this Act: Provided further, That notwithstanding the priority rankings they would otherwise receive under each program, priority for funds appropriated herein shall be given to projects on a State priority list that are ready to proceed to construction within 12 months of the date of enactment of this Act: Provided further, That notwithstanding the requirements of section 603(d) of the Federal Water Pollution Control Act or section 1452(f) of the Safe Drinking Water Act, for the funds appropriated herein, each State shall use not less than 50 percent of the amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: Provided further, That, to the extent there are sufficient eligible project applications, not less than 20 percent of the funds appropriated herein for the Revolving Funds shall be for projects to address green infrastructure, water or energy efficiency improvements or other environmentally innovative activities: Provided further, That notwithstanding the limitation on amounts specified in section 518(c) of the Federal Water Pollution Control Act, up to 2.0 percent of the funds appropriated herein for the Clean Water State Revolving Funds may be reserved by the Administrator for tribal grants under section 518(c) of such Act: Provided further, That up to 4 percent of the funds appropriated herein for tribal set-asides under the Revolving Funds may be transferred to the Indian Health Service to support management and oversight of tribal projects: Provided further, That none of the funds appropriated herein shall be available for the purchase of land or easements as authorized by section 603(c) of the Federal Water Pollution Control Act or for activities authorized by section 1452(k) of the Safe Drinking Water Act: Provided further, That notwithstanding section 603(d)(2) of the Federal Water Pollution Control Act and section 1452(f)(2) of the Safe Drinking Water Act, funds may be used to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after October 1, 2009: Provided further, That section 1606

of title XVI of Public Law 111–5 shall apply to the use of the funds provided under this heading.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

For an additional amount for ''State and Private Forestry for financial assistance to States and territories for authorized activities using term employment, $75,000,000.

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'', for activities on the National Forest System using term employment, $40,000,000.

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', for hazardous fuels reduction and related activities using term employment, $35,000,000.

GENERAL PROVISIONS, THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. 1401. Funds made available to the Environmental Protection Agency by this Act for management and oversight purposes shall remain available until September 30, 2012, and may be transferred to the ''Environmental Programs and Management'' account as needed.

SEC. 1402. In carrying out the work for which funds in this title are being made available, the Secretary of the Interior and the Secretary of Agriculture shall utilize, to the maximum extent practicable, the Public Lands Corps, Youth Conservation Corps, Student Conservation. Association, Job Corps, Corps Network members, and other related partnerships with Federal, State, local, tribal or non-profit groups that serve youny adults, underserved and minority populations, veterans, and special needs individuals.

CHAPTER 5—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for ''Training and Employment Services'' for activities under the Workforce Investment Act of 1998 (''WIA''), $1,250,000,000, which shall be available for obligation on the date of enactment of this Act, as follows:

(1) $500,000,000 for grants to the States for youth activities: Provided, That such funds shall be used solely for summer employment programs for youth: Provided further, That no portion of such funds shall he reserved to carry out section 127(b)(1)(A) of the WIA: Provided further, That for purposes of section 127(b)(1)(C)(iv) of the WIA, funds available for youth activities shall be allotted as if the total amount available for youth activities in the fiscal year does not exceed $1,000,000,000: Provided further, That the work readiness performance indicator described in section 136(b)(2)(A)(ii)(I) of the WIA shall be the only measure of performance used to assess the effectiveness of summer employment for youth provided with such funds: Provided further, That an in-school youth shall meet the requirement that eligible youth be a low-income individual under section, 101(13)(B) of the WIA if such youth has been determined to meet the eligibility requirements for free meals under the National School Lunch Act (42 U.S.C. 1751 et seq.) during the most recent school year; and

(2) $750,000,000 for a program of competitive grants for worker training and placement in high growth and emerging industry sectors: Provided, That $275,000,000 shall be for job training projects that prepare workers for careers in energy efficiency and renewable energy as described in section 171(e)(1)(B) of the WIA, of which $225,000,000 shall be for Pathways Out of Poverty projects: Provided further, That awarding grants from those funds not dedicated in the preceding proviso, the Secretary of Labor shall give priority to projects that prepare workers for careers in the health care sector.

DEPARTMENT OF EDUCATION

EDUCATION JOBS FUND

For necessary expenses for an Education Jobs Fund, $23,000,000,000, which shall remain available for obligation through September 30, 2010 and shall he administered under the terms and conditions of sections 14001 through 14013 of title XIV, and title XV, of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), except as follows:

(1) ALLOTMENTS TO STATES AND TERRITORIES.—Such funds shall be available only for allocations by the Secretary under subsections (a) and (d) of section 14001.

(2) RESERVATION.—With respect to funds appropriated under this heading, a State that receives an allocation may reserve not more than 5 percent, for—

(A) the administrative costs of carrying out its responsibilities with respect to those funds, provided the State reserves not more than 1 percent of its total allocation for those costs; and

(B) retaining or creating positions in the State educational agency or the State agency for higher education, and other State agency positions related to the administration or support of early childhood, elementary, secondary or postsecondary education.

(3) AWARDS TO LOCAL EDUCATIONAL AGENCIES AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION.—

(A) Except as specified under paragraph (2), allocation of such funds to a State under section 14001(d) shall be used only for awards to local educational agencies and public institutions of higher education for the support of elementary, secondary, and postsecondary education. The Governor shall determine how the funds appropriated under this heading are allocated for elementary and secondary education and for public institutions of higher education. In making the determination in the preceding sentence, the Governor shall allocate funds among the categories of elementary and secondary education and public institutions of higher education generally in proportion to any reductions in State funds for such categories.

(B) Funds used to support elementary and secondary education, shall be distributed through the State's primary elementary and secondary funding formulae.

(C) Section 14002(a) and (b) shall not apply.

(4) INAPPLICABILITY OF EDUCATION REFORM ASSURANCES.—Subsection (b)(2), and paragraphs (1) through (5) of subsection (d), of section 14005 shall not apply to any application for an allocation of such funds.

(5) REQUIRENENT TO USE FUNDS TO RETAIN OR CREATE EDUCATION JOBS.—Notwithstanding sections 14003(a) and 14004(a), such funds may be used only for compensation and benefits and other expenses, such as support services, necessary to retain existing employees, for activities defined in section 101(31) of the Workforce Investment Act of 1998, and to hire new employees in order to provide early childhood, elementary, secondary, or postsecondary educational and related services or for modernization, renovation, and repair of public school facilities and facilities of institutions of higher education.

(6) PROHIBITION ON USE OF FUNDS FOR RAINY-DAY FUNDS OR DEBT RETIREMENT.—A State that receives an allocation may not use such funds, directly or indirectly, to establish, restore, or supplement a rainy-day fund, or to supplant State funds in a manner that has the effect of establishing, restoring, or, supplementing a rainy-day fund; or to reduce or retire debt obligations incurred by the State, or to supplant State funds in a manner that has the effect of reducing or retiring debt obligations incurred by the State, provided that this prohibition shall not apply to fund balances that are necessary to comply with any State requirement to maintain a balanced budget.

(7) APPLICATION CONSIDERATIONS.—If, by a date set by the Secretary, a Governor has not submitted an approvable application under section 14005(a), the Secretary may provide for the distribution of funds allocated under section 14001(d) to another entity or other entities in the State, under such terms and conditions as the Secretary may establish, provided that all terms and conditions that apply to the appropriation under this heading shall apply to such funds distributed to such entity or entities.

(8) LOCAL EDUCATIONAL AGENCY APPLICATION.—Section 442 of the General Education Provisions Act does not apply to a local educational agency that has previously submitted an application to the State under title XIV of division A of the American Recovery and Reinvestment Act of 2009. The assurances provided under that application shall continue to apply to funds awarded under this heading.

(9) MAINTENANCE OF EFFORT.—The Secretary shall not allocate funds to a State under paragraph (1) unless the Governor of the State provides an assurance to the Secretary that the State will—

(A) for fiscal year 2010—

(i) maintain State support for elementary, secondary, and public higher education (not including support for capital projects or research and development or tuition and fees paid by students), in the aggregate, at the level of such support for fiscal year 2009; or

(ii) maintain State support far elementary, secondary, and public higher education (not including support for capital projects or research and development or tuition and fees paid by students), in the aggregate, at a level no less than such support for fiscal year 2006, provided that if a State has enacted a reduction to such aggregate level of fiscal year 2010 State support for elementary, secondary, and public higher education after December 12, 2009, the State shall maintain State support for elementary, secondary, and public higher education at a percentage of the total revenues available to the State that is equal to or greater than the percentage provided for such purpose for fiscal year 2010 prior to December 12, 2009; and

(B) for fiscal year 2011—

(i) comply with subparagraph (A)(i); or

(ii) maintain State support, for elementary, secondary, and public higher education (not including support, for capital projects or research and development or tuition and fees paid by students), in the aggregate, at a percentage of the total revenues available to the State that is equal to or greater than the percentage provided for such purpose for fiscal year 2010.

STUDENT FINANCIAL ASSISTANCE

For an additional amount for ''Student Financial Assistance'' to carry out part C of title IV of the Higher Education Act of 1965, $300,000,000, which, shall remain available through September 30, 2011.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operating Expenses'' to carry out the Domestic Volunteer Service Act of 1973 (''1973 Act'') and the National and Community Service Act of 1990 (''1990 Act''), $132,000,000, which shall remain available through September 30, 2011: Provided, That not less than $90,000,000 of the funds made available in this paragraph shall be used to make additional awards to existing AmeriCorps grantees and may be used to provide adjustments to awards under subtitle C of title I of the 1990 Act made prior to September 30, 2011 for which the Chief Executive Officer of the Corporation for National and Community Service (''CEO'') determines that a waiver of the Federal share limitation is warranted under section 2521.70 of title 45 of the Code of Federal Regulations: Provided

further, That up to $30,000,000 shall be for programs under title I, part A of the 1973 Act: Provided further, That any funds provided in the previous proviso shall not be made available in connection with cost-share agreements authorized under section 192A(g)(10) of the 1990 Act: Provided further, That of the amount made available in this paragraph, not less than $7,000,000 shall be transferred to ''Salaries and Expenses'' to administer the funds provided in this paragraph, including making any necessary information technology upgrades: Provided further, That the CEO shall provide to the Committees on Appropriations of the house of Representatives and the Senate a fiscal year 2010 operating plan for the funds appropriated in this paragraph prior to making any Federal obligations of such funds in fiscal year 2010, but not later than 90 days after the date of enactment of this Act, and a fiscal year 2011 operating plan for such funds in fiscal year 2011, but not later than November 1, 2010, that detail the allocation of resources and the increased number of members supported by the AmeriCorps programs: Provided further, That the CEO shall provide to the Committees on Appropriations of the House of Representatives and the Senate a report on the actual obligations, expenditures, and unobligated balances for each activity funded under this heading not later than 90 clays after issuance of the operating plan, and quarterly thereafter as long as funding provided under this heading is available for obligation or expenditure.

NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''National Service Trust'' established under subtitle D of title I of the National and Community Service Act of 1990 (''1990 Act''), $68,000,000, which shall remain available until expended: Provided, That the Corporation for National and Community Service may transfer additional funds from the amount provided within ''Operating Expenses'' allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the amount appropriated or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirements to apportion funds under 31 U.S.C. 1513(b).

GENERAL PROVISION, THIS CHAPTER

ISSUER ALLOWED REFUNDABLE CREDIT FOR QUALIFIED ZONE ACADEMY BONDS AND QUALIFIED SCHOOL CONSTRUCTION BONDS

SEC. 1501. (a) IN GENERAL.—Section 6431 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) APPLICATION OF SECTION TO QUALIFIED ZONE ACADEMY BONDS AND QUALIFIED SCHOOL CONSTRUCTION BONDS—

''(1) IN GENERAL—In the case of any specified tax credit bond—

''(A) such bond shall be treated as a qualified bond for purposes of this section,

''(B) subsection (a) shall be applied without regard to the requirement that the qualified bond be issued before January 1, 2011,

''(C) the amount of the payment determined under subsection (b) with respect to any interest payment date under such bond shall be equal to the lesser of—

''(i) the amount of interest payable under such bond on such date, or

''(ii) the amount of interest which would have been payable under such bond on such date if such interest were determined at the applicable credit rate determined under section 54A(b)(3) with respect to such bond,

''(D) interest on any such bond shall be includible in gross income for purposes of this title, and

''(E) no credit shall be allowed under section 54A with respect to such bond.

''(2) SPECIFIED TAX CREDIT BOND.—For purposes of nets of this subsection, the term 'specified tax credit bond' means any qualified tax credit bond (as defined in section 54A(d)) if—

''(A) such bond is a qualified zone academy bond (as defined in section 54E) or a qualified school construction bond (as defined in section 54F), and

''(B) the issuer of such bond makes an irrevocable election to hare this subsection apply.''.

(b) TECHNICAL CORRECTIONS RELATING TO QUALIFIED SCHOOL CONSTRUCTION BONDS.—

(1) The second sentence of section 54F(d)(1) of such Code is amended by striking ''by the State'' and inserting ''by the State education agency (or such other agency as is authorized under State law to make such allocation)''.

(2) The second sentence of section 54F(e) of such Code is amended by striking ''subsection (d)(4)'' and inserting ''paragraphs (2) and (4) of subsection (d)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendment made by this section shall apply to bonds issued after December 31, 2009.

(2) TECHNICAL CORRECTIONS.—The amendments made by subsection (b) shall take effect as if included in section 1521 of the American Recovery and Reinvestment Tax Act of 2009.

CHAPTER 6—TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for ''Grants-In-Aid for Airports'', to enable the Secretary of Transportation to make grants for discretionary projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, $500,000,000: Provided, That such funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages under chapter 471 of such title: Provided further, That the Secretary shall distribute funds provided under this heading as discretionary grants to airports using the criteria established under chapters 471 and 475 of such title, but with priority given to those projects that demonstrate to his satisfaction their ability to be completed within 2 years of enactment of this Act: Provided further, That the Secretary shall award grants under this heading within 120 days of enactment of this Act: Provided further, That the amount made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: Provided further, That the Federal share payable of the costs for which a grant is made under this heading shall be, at the option of the recipient, up to 100 percent: Provided further, That the amounts provided under this heading may be used for expenses the agency incurs in administering this program in addition to amounts provided for administrative expenses for the Grants-in-Aid Airport Improvement Program from any other Act.

FEDERAL HIGHWAY ADMINISTRATION

HIGHWAY INFRASTRUCTURE INVESTMENT

For an additional amount for ''Highway Infrastructure Investment'' for restoration, repair, construction and other activities eligible under paragraph (b) of section 133 of title 23, United States Code, and for passenger and freight rail transportation and port infrastructure projects eligible for assistance under subsection 601(a)(8) of such title, $27,500,000,000 to remain available through September 30, 2011: Provided, That, after making the set-asides required under this heading, 50 percent of the funds made available under this heading shall be apportioned to States using the formula set forth in section 104(b)(3) of title 23, United States Code, and the remaining funds shall be apportioned to States in the same ratio as the obligation limitation for fiscal year 2008 was distributed among the States in accordance with the formula specified in section 120(a)(6) of division K of Public Law 110–161: Provided further, That funds made available under this heading shall be apportioned not later than 21 days after the date of enactment of this Act: Provided further, That in selecting projects to be carried out with funds apportioned under this heading, priority shall be given to projects that are projected for completion within a 3-year time frame, and are located in economically distressed areas as defined by section 301 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3161): Provided further, That in selecting projects to be carried out with funds apportioned under this heading, States shall ensure an equitable geographic distribution of funds and an appropriate balance in addressing the needs of urban and rural communities in the State: Provided further, That 90 days following the date of such apportionment, the Secretary of Transportation shall withdraw from each State an amount equal to 50 percent of the funds awarded to that State less the amount of funding under contract, as determined by the Secretary, and the Secretary shall redistribute such amounts to other States that have had no funds withdrawn under this proviso in the manner described in section 120(c) of division K of Public Law 110–161: Provided further, That 1 year following the date of such apportionment, the Secretary shall withdraw from each recipient of funds apportioned under this heading any funds that are not under contract, as determined by the Secretary, and the Secretary shall redistribute such amounts to States that have had no funds withdrawn under this proviso in the manner described in section 120(c) of division K of Public Law 110–161: Provided further, That at the request of a State, the Secretary of Transportation may provide an extension of such 1-year period only to the extent that he feels satisfied that the State has encountered extreme conditions that create an unworkable bidding environment or other extenuating circumstances: Provided further, That before granting such an extension, the Secretary shall send a letter to the House and Senate Committees on Appropriations that provides a thorough justification for the extension: Provided further, That 3 percent of the funds apportioned to a State under this heading shall be set aside for the purposes described in subsection 133(d)(2) of title 23, United States Code (without regard to the comparison to fiscal year 2005): Provided further, That 30 percent of the funds apportioned to a State under this heading shall be suballocated within the State in the manner and for the purposes described in the first sentence of subsection 133(d)(3)(A), in subsection 133(d)(3)(B), and in subsection 133(d)(3)(D): Provided further, That such suballocation shall be conducted in every State: Provided further, That of the funds provided under this heading, $105,000,000 shall be for the Puerto Rico highway program authorized under section 165 of title 23, United States Code, and $45,000,000 shall be for the territorial highway program authorized under section 215 of title 23, United States Code: Provided further, That of the funds provided under this heading, $60,000,000 shall be for capital expenditures eligible under section 147 of title 23, United States Code (without regard to subsection (d)): Provided further, That the Secretary of Transportation shall distribute such $60,000,000 as competitive discretionary grants to States, with priority given to those projects that demonstrate to his satisfaction their ability to be completed within 2 years of enactment of this Act: Provided further, That of the funds provided under this heading, $550,000,000 shall be for investments in transportation at Indian reservations and Federal lands: Provided further, That of the funds identified in the preceding proviso, $310,000,000 shall be for

the Indian Reservation Roads program, $170,000,000 shall be for the Park Roads and Parkways program, $60,000,000 shall be for the Forest Highway Program, and $10,000,000 shall be for the Refuge Roads program: Provided further, That for investments at Indian reservations and Federal lands, priority shall be given to capital investments, and to projects and activities that can be completed within 2 years of enactment of this Act: Provided further, That 1 year following the enactment of this Act, to ensure the prompt use of the $550,000,000 provided for investments at Indian reservations and Federal lands, the Secretary shall have the authority to redistribute unobligated funds within the respective program for which the funds were appropriated: Provided further, That up to 4 percent of the funding provided for Indian Reservation Roads may be used by the Secretary of the Interior for program management and oversight and project-related administrative expenses: Provided further, That section 134(f)(3)(C)(ii)(II) of title 23, United States Code, shall not apply to funds provided under this heading: Provided further, That of the funds made available under this heading, $20,000,000 shall be for highway surface transportation and technology training under section 140(b) of title 23, United States Code, and $20,000,000 shall be for disadvantaged business enterprises bonding assistance under section 332(e) of title 49, United States Code: Provided further, That funds made available under this heading shall be administered as if apportioned under chapter 1 of title 23, United States Code, except for funds made available for investments in transportation at Indian reservations and Federal lands, and for the territorial highway program, which shall be administered in accordance with chapter 2 of title 23, United States Code, and except for funds made available for disadvantaged business enterprises bonding assistance, which shall be administered in accordance with chapter 3 of title 49, United States Code: Provided further, That the Federal share payable on account of any project or activity carried out with funds made available under this heading shall be, at the option of the recipient, up to 100 percent of the total cost thereof: Provided further, That funds made available by this paragraph shall not be obligated for the purposes authorized under section 115(b) of title 23, United States Code: Provided further, That funding provided under this heading shall be in addition to any and all funds provided for fiscal years 2010 and 2011 in any other Act for ''Federal-aid Highways'' and shall not affect the distribution of funds provided for ''Federal-aid Highways'' in any other Act: Provided further, That the amount made available under this heading shall not be subject to any limitation on obligations for Federal-aid highways or highway safety construction programs set forth in any Act: Provided further, That section 1101(b) of Public Law 109–59 shall apply to funds apportioned under this heading: Provided further, That the Administrator of the Federal Highway Administration may retain up to $45,000,000 of the funds provided under this heading to fund the oversight by the Administrator of projects and activities carried out with funds made available to the Federal Highway Administration in this Act, of which $5,000,000 shall be for the Office of Expedited Project Delivery in the Office of the Administrator of the Federal Highway Administration, and such funds shall be available through September 30, 2013.

FEDERAL RAILROAD ADMINISTRATION

CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount for ''Capital Grants to the National Railroad Passenger Corporation'' to enable the Secretary of Transportation to make capital grants to The National Railroad Passenger Corporation (Amtrak) as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432), $800,000,000, for fleet modernization, including rehabilitation of existing and acquisition of new passenger equipment, including fuel efficient locomotives: Provided, That none of the funds provided under this heading shall he used to subsidize the operating losses of Amtrak: Provided further, That section 24305(f)(4)(B) of title 49, United States Code, shall not apply to any new equipment acquired with funds provided under this heading: Provided further, That funds provided under this heading shall be awarded not later than 60 days after the date of enactment of this Act.

FEDERAL TRANSIT ADMINISTRATION

TRANSIT CAPITAL ASSISTANCE

For an additional amount for ''Transit Capital Assistance'' for transit capital assistance grants authorized under section 5302(a)(1) of title 49, United States Code, $6,150,000,000: Provided, That the Secretary of Transportation shall provide 80 percent of the funds appropriated under this heading for grants under section 5307 of title 49, United States Code, and apportion such funds in accordance with section 5336 of such title (other than subsections (i)(1) and (j)): Provided further, That the Secretary shall apportion 10 percent of the funds appropriated under this heading in accordance with section 5340 of such title: Provided further, That the Secretary shall provide 10 percent of the funds appropriated under this heading for grants under section 5311 of title 49, United States Code, and apportion such funds in accordance with such section: Provided further, That funds apportioned under this heading shall be apportioned not later than 21 days after the date of enactment of this Act: Provided further, That 90 days following the date of such apportionment, the Secretary shall withdraw from each urbanized area or State an amount equal to 50 percent of the funds apportioned to such urbanized areas or States less the amount of funding under contract, as determined by the Secretary, and the Secretary shall redistribute such amounts to other urbanized areas or States that have had no funds withdrawn under this proviso utilizing whatever method he deems appropriate to ensure that all funds redistributed under this proviso shall be utilized promptly: Provided further, That 1 year following the date of such apportionment, the Secretary shall withdraw from each urbanized area or State any funds that are not under contract, as determined by the Secretary, and the Secretary shall redistribute such amounts to other urbanized areas or States that have had no funds withdrawn under this proviso utilizing whatever method he deems appropriate to ensure that all finds redistributed under this proviso shall be utilized promptly: Provided further, That at the request of an urbanized area or State, the Secretary of Transportation may provide an extension of such 1-year period if he feels satisfied that the urbanized area or State has encountered an unworkable bidding environment or other extenuating circumstances: Provided further, That before granting such an extension, the Secretary shall send a letter to the House and Senate Committees on Appropriations that provides a thorough justification for the extension: Provided further, That of the funds provided for section 5311 of title 49, United States Code, 2.5 percent shall be made available for section 5311(c)(1): Provided further, That of the funding provided under this heading, $100,000,000 shall be distributed as discretionary grants to public transit agencies for capital investments that will assist in reducing the energy consumption or greenhouse gas emissions of their public transportation systems: Provided further, That for such grants on energy-related investments, priority shall be given to projects based on the total energy savings that are projected to result from the investment, and projected energy savings as a percentage of the total energy usage of the public transit agency: Provided further, That applicable chapter 53 requirements shall apply to funding provided under this heading, except that the Federal share of the costs for which any grant is made under this heading shall be, at the option of the recipient, up to 100 percent: Provided further, That the amount made available under this heading shall not be subject to any limitation on obligations for transit programs set forth in any Act: Provided further, That section 1101(b) of Public Law 109–59 shall apply to funds appropriated under this heading: Provided further, That the funds appropriated under this heading shall not be commingled with any prior year funds: Provided further, That a recipient and subrecipient of funds made available under this heading may use up to 10 percent of the amount apportioned to a State or urbanized area for the operating costs of equipment and facilities for use in public transportation or for eligible activities under section 5311(f): Provided further, That in selecting projects to be carried out with funds apportioned under this heading, priority shall be given to projects that are located in economically distressed areas as defined by section 301 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3161): Provided further, That in selecting projects to be carried out with funds apportioned under this heading, States shall ensure an equitable geographic distribution of funds and an appropriate balance in addressing the needs of urban and rural communities in the State: Provided further, That notwithstanding any other provision of law, three-quarters of 1 percent of the funds provided for grants under section 5307 and section 5340, and one-half of 1 percent of the funds provided for grants under section 5311, shall be available for administrative expenses and program management oversight, and such funds shall be available through September 30, 2013.

FIXED GUIDEWAY INFRASTRUCTURE INVESTMENT

For an amount for capital expenditures authorized under section 5309(b)(2) of title 49, United States Code, $1,750,000,000: Provided, That the Secretary of Transportation shall apportion funds under this heading pursuant to the formula set forth in section 5337 of title 49, United States Code: Provided further, That the funds appropriated under this heading shall not be commingled with any prior year funds: Provided further, That funds made available under this heading shall be apportioned not later than 21 days after the date of enactment of this Act: Provided further, That 90 days following the date of such apportionment, the Secretary shall withdraw from each urbanized area an amount equal to 50 percent of the funds apportioned to such urbanized area less the amount of funding under contract, as determined by the Secretary, and the Secretary shall redistribute such amounts to other urbanized areas that have had no funds withdrawn under this proviso utilizing whatever method he deems appropriate to ensure that all funds redistributed under this proviso shall be utilized promptly: Provided further, That 1 year following the date of such apportionment, the Secretary shall withdraw from each urbanized area any funds that are not under contract, as determined by the Secretary, and the Secretary shall redistribute such amounts to other urbanized areas that have had no funds withdrawn under this proviso utilizing whatever method he deems appropriate to ensure that all funds redistributed under this proviso shall be utilized promptly: Provided further, That at the request of an urbanized area, the Secretary of Transportation may provide an extension of such 1-year period if he feels satisfied that the urbanized area has encountered an unworkable bidding environment or other extenuating circumstances: Provided further, That before granting such an extension, the Secretary shall send a letter to the House and Senate Committees on Appropriations that provides a thorough justification for the extension: Provided further, That applicable chapter 53 requirements

shall apply except that the Federal share of the costs for which a grant is made under this heading shall be, at the option of the recipient, up to 100 percent: Provided further, That the provisions of section 1101(b) of Public Law 109–59 shall apply to funds made available under this heading: Provided further, That notwithstanding any other provision of law, up to 1 percent of the funds under this heading shall be available for administrative expenses and program management oversight and shall remain available for obligation until September 30, 2013.

CAPITAL INVESTMENT GRANTS

For an additional amount for ''Capital Investment Grants'', as authorized under section 5338(c)(4) of title 49, United States Code, and allocated under section 5309(m)(2)(A) of such title, to enable the Secretary of Transportation to make discretionary grants as authorized by section 5309(d) and (e) of such title, $500,000,000, of which $1,500,000 shall be for the Office of Expedited Project Delivery in the Office of the Administrator of the Federal Transit Administration: Provided, That such amount shall be allocated without regard to the limitation under section 5309(m)(2)(A)(i): Provided further, That in selecting projects to be funded, priority shall be given to projects that are able to award contracts within 90 days of enactment of this Act: Provided further, That the provisions of section 1101(b) of Public Law 109–59 shall apply to funds made available under this heading: Provided further, That funds appropriated under this heading shall not be commingled with any prior year funds: Provided further, That applicable chapter 53 requirements shall apply, except that notwithstanding any other provision of law, up to 1 percent of the funds provided under this heading shall be available for administrative expenses and program management oversight, and shall remain available through September 30, 2013: Provided further, That, notwithstanding any other provision of law, the provisions of section 3011(f) of Public Law 109–59 shall apply to all projects evaluated under sections 5309(d) and 5309(e) of title 49, United States Code, and funded in fiscal years 2010 and 2011 with funds made available in the Act or any other Act.

MARITIME ADMINISTRATION

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, $100,000,000: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That the Maritime Administrator may retain, and transfer to ''Maritime Administration, Operations and Training'' up to 2 percent of the funds provided under this heading to carry out the guaranteed loan program.

GENERAL PROVISION, DEPARTMENT OF TRANSPORTATION

SEC. 1601. (a) MAINTENANCE OF EFFORT.—

(1) CERTIFICATION—

(A) CERTIFICATION THROUGH SEPTEMBER 30, 2010.—The certification made by the Governor of each State under section 1201(a) of division A of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111–5, 123 Stat. 115, 212) shall continue in effect under this Act.

(B) CERTIFICATION THROUGH SEPTEMBER 30, 2011.—Not later than 30 days after the date enactment of this Act, for each amount that is distributed to a State or agency thereof from an appropriation in this Act for a covered program, the Governor of the State shall certify to the Secretary of Transportation that the State will maintain its effort with regard to State funding for the types of projects that are funded by the appropriation. As part of this certification, the Governor shall submit to the Secretary of Transportation a statement identifying the amount of State funds the State planned to expend from State sources as of the date of enactment of this Act for the period of October 1, 2010, through September 30, 2011, for the types of projects that are funded by the appropriation. For the period of October 1, 2010, through September 30, 2011, the Governor of a State may calculate planned expenditures from State funds in the same manner as under section 1201(a) of division A of the American Recovery and Reinvestment Act of 2009 or may calculate the amount by pro rating the amount certified under section 1201(a) of division A of the American Recovery and Reinvestment Act of 2009 to establish the amount of planned expenditures for such period.

(2) DEFINITION OF STATE FUNDS.—For purposes of the certifications required by section 1201(a) of division A of the American Recovery and Reinvestment Act of 2009 and paragraph (1)(B), State funding means State funds used for transportation purposes that are expended by the State agency that is primarily responsible for carrying out the covered program. State funding does not include State transportation funds that are expended by on at the direction of non-State governmental entities.

(b) REQUIREMENT TO MAINTAIN EFFORT.—

(1) REPORTS.—Each State shall submit to the Department of Transportation for each covered program the actual aggregate expenditures from State funds during the period of February 17, 2009, through September 30, 2011, as compared to the level of such expenditures from State funds that were planned to occur during such period as certified in accordance with subsection (a). The State shall submit the maintenance of effort reports in the same manner and in the same timeframe required by subsection (c), except the State is not required to submit a maintenance of effort report on February 17, 2013. The covered agencies shall submit the reports to Congress in accordance with subsection (c)(1).

(2) DETERMINATION OF MAINTENANCE OF EFFORT.—A State is deemed to have met its level of effort if the aggregate amount of actual expenditures of State funds reported in the February 17, 2012 report in accordance with paragraph (1) meets or exceeds the aggregate amount of planned expenditures of State funds identified in the certification required by subsection (a).

(3) PENALTY FOR FAILURE TO MAINTAIN EFFORT.—If a State is unable to maintain the level of effort certified pursuant to subsection (a), the State will be prohibited by the Secretary of Transportation from receiving additional limitation pursuant to the redistribution of the limitation on obligations for Federal-aid highway and highway safety construction programs that occurs after August 1 for fiscal year 2012.

(c) PERIODIC REPORTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, each grant recipient shall submit to the covered agency from which they received funding periodic reports on the use of the funds appropriated in this chapter for the Department of Transportation for covered programs. Such reports shall be collected and compiled by the covered agency and transmitted to Congress. Covered agencies may develop such reports on behalf of grant recipients to ensure the accuracy and consistency of such reports.

(2) CONTENTS OF REPORTS.—For amounts received under each covered program by a grant recipient under this chapter for the Department of Transportation, the grant recipient shall include in the periodic reports information tracking—

(A) the amount of Federal funds appropriated, allocated, obligated, and outlayed under the appropriation;

(B) the number of projects that have been put out to bid under the appropriation and the amount of Federal funds associated with such projects;

(C) the number of projects for which contracts have been awarded under the appropriation and the amount of Federal funds associated with such contracts;

(D) the number of projects for which work has begun under such contracts and the amount of Federal funds associated with such contracts;

(E) the number of projects for which work has been completed under such contracts and the amount of Federal funds associated with such contracts; and

(F) the number of direct, on-project jobs created or sustained by the Federal funds provided for projects under the appropriation and, to the extent possible, the estimated indirect jobs created or sustained in the associated supplying industries, including the number of job-years created and the total increase in employment since the date of enactment of this Act.

(3) TIMING OF REPORTS.—Each grant recipient shall submit the first of the periodic reports required under this subsection not later than 1 year after the date of enactment of the American Recovery and Reinvestment Act of 2009 and shall submit updated reports not later than 15 months, 18 months, 2 years, 3 years, and 4 years after such date of enactment.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED AGENCY.—The term ''covered agency'' means the Federal Aviation Administration, the Federal Highway Administration, the Federal Railroad Administration, the Federal Transit Administration, and the Maritime Administration of the Department of Transportation.

(2) COVERED PROGRAM.—The term ''covered program'' means funds appropriated in this Act for Grants-in-Aid for Airports'' to the Federal Aviation Administration; for ''Highway Infrastructure Investment'' to the Federal Highway Administration; for ''Capital Grants to the National Railroad Passenger Corporation'' to the Federal Railroad Administration; for ''Transit Capital Assistance'', ''Fixed Guideway Infrastructure Investment'', and ''Capital Investment Grants'' to the Federal Transit Administration; and for ''Maritime Guaranteed Loan (Title XI) Program Account'' to the Maritime Administration.

(3) GRANT RECIPIENT.—The term ''grant recipient'' means a State or other recipient of assistance provided under a covered program in this Act. Such term does not include a Federal department or agency.

(e) EXEMPTION.—Notwithstanding any other provision of law, sections 3501–3521 of title 44 United States Code, shall not apply to the provisions of this section.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

PUBLIC HOUSING CAPITAL FUND

For an additional amount for the ''Public Housing Capital Fund'' to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (in this heading referred to as the ''Act''), $1,000,000,000: Provided, That the Secretary of Housing and Urban Development shall make the funds provided under this heading available by competition for priority investments, including investments that leverage private sector funding or financing for renovations and energy conservation retrofit investments: Provided further, That the Secretary shall obligate the funds provided under this heading by such competition within 60 days of the date of the enactment of this Act: Provided further, That in using the funds provided under this heading public housing authorities shall give priority to capital projects that can award contracts based on bids within 120 days from the date that the funds are made available to the public housing authorities: Provided further, That in using such funds provided under this heading public housing agencies shall give priority consideration to the rehabilitation of vacant rental units: Provided further, That in using such funds provided under this heading public housing agencies

shall prioritize capital projects that are already underway or included in the 5-year capital fund plans required by section 5A of the Act (42 U.S.C. 1437c–1(a)): Provided further, That notwithstanding any other provision of law, funds provided under this heading (1) may not be used for operating or rental assistance activities, and (2) shall not be subject to any restriction of funding to replacement housing uses: Provided further, That notwithstanding section 9(j) of the Act, public housing agencies shall obligate 50 percent of the funds provided under this heading within 180 days of the date on which such funds become available to the agency for obligation, and shall expend 100 percent of such funds within one year of the date on which such funds become available to the agency for obligation: Provided further, That if a public housing agency fails to comply with the 180-day obligation requirement under the preceding proviso, the Secretary shall recapture all funds provided under this heading awarded to the public housing agency that remain unobligated and reallocate such funds to agencies that are in compliance with such requirement: Provided further, That in administering funds appropriated or otherwise made available under this heading, the Secretary may waive or specify alternative requirements for any provision of any statute or regulation in connection with the obligation by the Secretary or the use of such funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding that such a waiver is necessary to expedite or facilitate the use of such funds: Provided further, That, in addition to waivers authorized under the preceding proviso, the Secretary may direct that requirements relating to the procurement of goods and services arising under State and local laws and regulations shall not apply to funds provided under this heading.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING TRUST FUND

For the Housing Trust Fund established pursuant to section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4568), $1,065,000,000, for use under such section: Provided, That of the total amount provided under this heading, $65,000,000 shall be available to the Secretary of Housing and Urban Development only for incremental project-based voucher assistance or project-based rental assistance, to be allocated to States pursuant to the formula established under such section 1338, to be used solely in conjunction with grant funds awarded under such section 1338.

CHAPTER 7—GENERAL PROVISIONS, THIS TITLE

TARP REDUCTION

SEC. 1701. The limitation under section 115(a)(3) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5225(a)(3)) in effect on the (date of the enactment of this Act is decreased by $150,000,000,000.

LIMIT ON FUNDS

SEC. 1702. All funds provided under this title shall be subject to the requirements of section 1604 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

RECOVERY ACT REPORTING REQUIREMENTS

SEC. 1703. (a) Funds made available by this title shall be subject to the reporting, transparency, and oversight requirements established by title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), on the same basis as funds made available in division A of that Act.

(b) Amounts appropriated in division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) to any Office of Inspector General or to the Recovery Accountability and Transparency Board shall also be available for the same purposes with respect to any programs, grants, projects, and activities for which funds are made available by this title.

TITLE II—SURFACE TRANSPORTATION EXTENSION

SHORT TITLE

SEC. 2001. This title may be cited as the ''Surface Transportation Extension Act of 2009''.

FEDERAL-AID HIGHWAYS

SEC. 2002. (a) IN GENERAL.—

(1) APPLICABILITY OF PROVISIONS.—Except as provided in this title, requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under titles I, V, and VI of SAFETEA–LU (119 Stat. 1144), the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1572), titles I and VI of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914), titles I and V of the Transportation Equity Act for the 21st Century (112 Stat. 107), and title 23, United States Code (excluding chapter 4 of that title), which would otherwise expire on or cease to apply after September 30, 2009, or the date specified in section 106(3) of the Continuing Appropriations Resolution, 2010 (Public Law 111–68), are incorporated by reference and shall continue in effect through September 30, 2010.

(2) AUTHORIZATION OF APPROPRIATIONS.—Except as provided in subsection (b), there are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 2010 an amount equal to the sum of the amounts authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for programs, projects, and activities for fiscal year 2009 under titles I, V, and VI of SAFETEA–LU (119 Stat. 1144) and title 23, United States Code (excluding administrative expenses under section 104(a) and programs, projects, and activities under chapter 4 of that title), minus $1,394,358,419.

(3) USE OF FUNDS.—

(A) FISCAL YEAR 2010.—Except as otherwise expressly provided in this title, funds authorized to be appropriated under paragraph (2) for fiscal year 2010 shall be distributed, administered, limited, and made available for obligation in the same manner as the total amount of funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 2009 to carry out programs, projects, activities, eligibilities, and requirements under SAFETEA–LU (119 Stat. 1144), the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1572), titles I and VI of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914), titles I and V of the Transportation Equity Act for the 21st Century (112 Stat. 107), and title 23, United States Code (excluding chapter 4 of that title).

(B) CALCULATION.—The amounts authorized to be appropriated under paragraph (2) shall be calculated without regard to any rescission or cancellation of funds or contract authority for fiscal year 2009 under SAFETEA–LU (119 Stat. 1144) or any other law.

(C) DISTRIBUTION BETWEEN PROGRAMS.—Funds authorized to be appropriated under paragraph (2) shall be distributed under subparagraph, (A) among programs, projects, and activities referenced in such subparagraph in the ratio that—

(i) the amount authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for such program, project, or activity for fiscal year 2009; bear to

(ii) the amount authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for all such programs, projects, and activities for fiscal year 2009.

(D) CONTRACT AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), funds authorized to be appropriated under this subsection shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, and subject to a limitation on obligations for Federal-aid highways and highway safety construction programs included in an Act making appropriations for fiscal year 2010.

(ii) EXCEPTIONS.—

(I) IN GENERAL.—A limitation on obligations described in clause (i) shall not apply to any obligation under—

(aa) section 125 of title 23, United States Code; or

(bb) section 105 of title 23, United States Code, but only in an amount equal to $639,000,000.

(II) SPECIAL RULES.—Except as otherwise expressly provided by this title, any special rule that applied in fiscal year 2009 to any program, project, or activity for which funds are authorized to be appropriated under paragraph (2) shall continue to apply through September 30, 2010.

EXTENSION FLEXIBILITY FOR CERTAIN ALLOCATED PROGRAMS.—

(A) FISCAL YEAR 2010.—

(i) IN GENERAL.—Notwithstanding any other provision of law, for fiscal year 2010, the portion of the share of funds of a State under paragraph (2) determined by the amount that the State received or was authorized to receive for fiscal year 2009 to carry out sections 1307, 1702, and 1934 of SAFETEA–LU (119 Stat. 1217, 1256, and 1485) and section 144(f)(1) of title 23, United States Code, shall be—

(I) made available to the State for programs specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program), and in the same proportion for each such program that—

(aa) the amount apportioned to the State for that program for fiscal year 2009; bears to

(bb) the amount apportioned to the State for fiscal year 2009 for all such programs; and

(II) administered in the same manner and with the same period of availability as such funding as administered under programs identified in clause (i), except that no funds may be used to carry out the project described in section 1307(d)(1) of SAFETEA–LU (119 Stat. 1217; 122 Stat. 1577).

(ii) TERRITORIES AND PUERTO RICO.—

(I) IN GENERAL.—Notwithstanding any other provision of law, the portion of the share of funds of a territory or Puerto Rico under paragraph (2) determined by the amount that the territory or Puerto Rico received or was authorized to receive for fiscal year 2009 to carry out section 1934 of SAFETEA–LU (119 Stat. 1485), shall be—

(aa) for a territory, made available and administered in the same manner as funding is made available and administered under section 215 of title 23, United States Code; and

(bb) for Puerto Rico, made available and administered in the same manner as funding is made available and administered under section 165 of title 23, United States Code.

(II) TERRITORY DEFINED.—In this clause, the term ''territory'' means any of the following territories of the United States: American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, or the United States Virgin Islands.

(B) ADDITIONAL FUNDS.—

(i) IN GENERAL.—No additional funds shall be provided for any project or activity under paragraph (3)(A) that the Secretary of Transportation determines was sufficiently funded before or during fiscal year 2009 to achieve the authorized purpose of the project or activity.

(ii) RESERVATION AND REDISTRIBUTION AMONG STATES.—

(I) IN GENERAL.—Funds made available in accordance with paragraph (3)(A) for a project or activity described in clause (i) shall be—

(aa) reserved by the Secretary of Transportation; and

(bb) apportioned among all States such that each State's share of funds so apportioned is equal to the State's share for fiscal year 2009 of funds apportioned or allocated for the programs specified in subclause (II).

(II) SPECIFIC PROGRAMS.—The programs referred to in subclause (I) are—

(aa) the programs listed in section 105(a)(2) of title 23, United States Code;

(bb) the program authorized by section 144(f)(1) of such title; and

(cc) the program authorized by section 1934 of SAFETEA–LU (119 Stat. 1485).

(iii) DISTRIBUTION AMONG PROGRAMS.—Funds apportioned to a State pursuant to clause (ii) shall be—

(I) made available to the State for programs specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program), and in the same proportion fir each such program that—

(aa) the amount apportioned to the State for that program fir fiscal year 2009; bears to

(bb) the amount apportioned to the State for fiscal year 2009 for all such programs; and

(II) administered in the same manner and with the same period of availability as such, funding is administered under programs identified in subclause (I).

(C) COMPETITIVE DISTRIBUTION OF CERTAIN DISCRETIONARY FUNDS.—

(i) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.—Notwithstanding section 1301(m) of SAFETEA–LU (119 Stat. 1202), the Secretary shall allocate funds authorized to be appropriated under paragraph (2) for the projects of national and regional significance program on the basis of a competitive selection process in accordance with sections 1301(d), 1301(e), and 1301(f) of that Act (119 Stat. 1199).

(ii) NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROGRAM.—Notwithstanding section 1302 (e) of SAFETEA–LU (119 Stat. 1205), the Secretary shall allocate finds authorized to be appropriated under paragraph (2) for the national corridor infrastructure improvement program on the basis of a competitive selection process in accordance with section 1302(b) of that Act (119 Stat. 1204).

(5) EXTENSION OF AUTHORIZATION UNDER TITLE V OF SAFETEA–LU.—

(A) IN GENERAL.—The programs authorized under paragraphs (1) through (5) of section 5101(a) of SAFETEA–LU (119 Stat. 1779) shall be continued for fiscal year 2010 at the funding levels authorized for those programs for fiscal year 2009.

(B) DISTRIBITTION OF FUNDS.—Funds for programs continued under subparagraph (A) shall be distributed to major program areas under those programs in the same proportions as funds were allocated for those program areas for fiscal year 2009, except that designations for specific activities shall not be required to be continued for fiscal year 2010.

(C) ADDITIONAL FUNDS.—

(i) IN GENERAL.—No additional funds shall be provided for any project or activity under this paragraph that the Secretary of Transportation determines was sufficiently funded before or during fiscal year 2009 to achieve the authorized purpose of the project or activity.

(ii) DISTRIBUTION.—Funds that would have been made available under subparagraph (A) for a project or activity but for the prohibition under clause (i) shall be distributed in accordance with subparagraph (B).

(b) ADMINISTRATION EXPENSES.—

(1) AUTHORIZATION OF CONTRACT AUTHORITY.—Notwithstanding other provision of this title or any other law, there is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account), $420,562,000 for administrative expenses of the Federal-aid highway program for fiscal year 2010.

(2) CONTRACT AUTHORITY.—Funds authorized to be appropriated by this subsection shall be—

(A) available for obligation, and shall be administered, in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code, except that such funds shall remain available until expended; and

(B) subject to a limitation on obligations for Federal-aid highways and highway safety construction programs included in an Act making appropriations for fiscal year 2010.

(c) RECONCILIATION OF FUNDS.—The Secretary shall reduce the amount apportioned or allocated for a program, project, or activity continued under this section by any amount apportioned or allocated for such program, project, or activity pursuant to the Continuing Appropriations Resolution, 2010 (Public Law 111–68).

(d) REFERENCES.—Except as otherwise expressly provided, any reference in this section to an Act, or a provision contained in on Act, shall be considered to include the amendments made by that Act or provision.

EXTENSION OF HIGHWAY SAFETY PROGRAMS OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 2003. (a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2001(a)(1) of SAFETEA–LU (119 Stat. 1519) is amended—

(1) by striking ''and''; and

(2) by inserting after ''2009'' the following: '', and $235,000,000 for fiscal year 2010''.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2001(a)(2) of such Act (119 Stat. 1519) is amended—

(1) by striking ''and''; and

(2) by inserting after ''2009'' the following: '', and $105,500,000 for fiscal year 2010''.

(c) OCCUPANT PROTECTION INCENTIVE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 405 of title 23, United States Code, is amended—

(A) in subsection (a)(3) by striking ''6'' and inserting ''7''; and

(B) in subsection (a)(4)(C) by striking ''in each of the fifth and sixth fiscal years beginning after September 30, 2003,'' and inserting ''in each subsequent fiscal year''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(3) of such Act (119 Stat. 1519) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $25,000,000 for fiscal year 2010''.

(d) SAFETY BELT PERFORMANCE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 406(c)(1) of title 23, United States Code, is amended by striking ''2009'' and inserting ''2010''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(4) of such Act (119 Stat. 1519) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $124,500,000 for fiscal year 2010''.

(e) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—Section 2001(a)(5) of such Act (119 Stat. 1519) is amended—

(1) by striking ''and''; and

(2) by inserting after ''2009'' the following: '', and $34,500,000 for fiscal year 2010''.

(f) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANT PROGRAM.—

(1) EXTENSION OF PROGRAM.—Section 410 of title 23, United States Code, is amended—

(A) in subsection (a)(3)(C) by striking ''in each of the fifth, sixth, seventh, and eighth fiscal years'' and inserting ''in each subsequent fiscal year''; and

(B) in subsection (b)(2)(C) by striking ''and 2009'' and inserting '', 2009, and 2010''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(6) of such Act (119 Stat. 1519) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $139,000,000 for fiscal year 2010''.

(g) NATIONAL DRIVER REGISTER.—Section 2001(a)(7) of such Act (119 Stat. 1520) is amended—

(1) by striking ''and''; and

(2) by inserting after ''2009'' the following: ''and $4,000,000 for fiscal year 2010''.

(h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(1) EXTENSION OF PROGRAM.—Section 2009(a) of such Act (23 U.S.C. 402 note; 119 Stat. 1535) is amended by striking ''2009'' and inserting ''2010'.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(8) of such Act (119 Stat. 1520) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the second place it appears the following: '', and $29,000,000 for fiscal year 2010''.

(i) MOTORCYCLIST SAFETY.—

(1) EXTENSION OF PROGRAM.—Section 2010(d)(1)(B) of such Act (23 U.S.C. 402 note; 119 Stat. 1536) is amended by striking ''and fourth'' and inserting ''fourth, and fifth''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(9) of such Act (119 Stat. 1520) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $7,000,000 far fiscal year 2010''.

(j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFETY INCENTIVE GRANTS.—

(1) EXTENSION OF PROGRAM.—Section 2011(c)(2) of such Act (23 U.S.C. 405 note; 119 Stat. 1538) is amended by striking ''fourth fiscal year'' and inserting ''fourth and fifth fiscal years''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2001(a)(10) of such Act (11.9 Stat. 1520) is amended—

(A) by striking ''and''; and

(B) by inserting after ''2009'' the following: '', and $7,000,000 for fiscal year 2010''.

(k) ADMINISTRATIVE EXPENSES.—Section 2001(a)(11) of such Act (119 Stat. 1520) is amended—

(1) by striking ''and'' the last place it appears; and

(2) by inserting after ''2009'' the following: '', and $18,500,000 for fiscal year 2010''.

(l) APPLICABILITY OF TITLE 23.—Section 2001(c) of such Act (119 Stat. 1520) is amended by striking ''2009'' and inserting ''2010''.

(m) DRUG-IMPAIRED DRIVING ENFORCEMENT.—Seetion 5013(7) of such Act (23 U.S.C. 103 note; 119 Stat. 1:540) is amended by striking ''2009'' and inserting ''2010''.

(n) OLDER DRIVER SAFETY; LAW ENFORCEMENT TRAINING.—Section 2017 of such Act (23 (U.S.C. 402 note; 119 Stat. 1541) is amended—

(1) in subsection (a)(1) by striking ''2009'' and inserting ''2010''; and

(2) in subsection (b)(2) by striking ''2009'' and inserting ''2010''.

EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS

SEC. 2004. (a) MOTOR CARRIER SAFETY GRANTS—Section 31104(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by adding at the end the following:

''(6) $212,070,000 for fiscal year 2010.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(1)(1) of title 49, United States Code is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(3) by adding at the end the following:

''(F) $239,828,000 for fiscal year 2010.''.

(c) HIGH PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''2009'' and inserting ''2010''.

(d) GRANT PROGRAM.—Section 4104(c) of SAFETEA–LU (119 Stat. 1715) is amended—

(1) in paragraph (1) by striking ''2009'' and inserting ''2010'';

(2) in paragraph (2) by striking ''and 2009'' and inserting ''2009, and 2010'';

(3) in paragraph (3) by striking ''and 2009'' and inserting ''2009, and 2010'';

(4) in paragraph (4) by striking ''2009'' and inserting ''2010''; and

(5) in paragraph (5) by striking ''2009'' and inserting ''2010''.

(e) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM MODERNIZATION.—Section 4123(d) of SAFETEA–LU (119 Stat. 1736) is amended—

(1) by striking ''and'' at the end of paragraph. (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding it the end the following:

''(5) $8,000,000 for fiscal year 2010.''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of such Act (119 Stat. 1741) is amended by striking ''and 2009'' and inserting ''2009, and 2010''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of such Act (119 Stat. 1744) is amended by striking ''2009'' and inserting ''2010''.

(h) WORKING GROUP FOR DEVELOPMENT OF PRACTICES AND PROCEDURES TO ENHANCE FEDERAL-STATE RELATIONS.—Section 4213(d) of such Act (119 Stat. 1759) is amended by striking ''2009'' and inserting ''2010''.

(i) OFFICE OF INTERMODALISM.—Section 5503(1) of title 49, United States Code, is amended by striking ''2009'' and inserting ''2010''.

EXTENSION OF FEDERAL TRANSIT ASSISTANCE PROGRAMS

SEC. 2005. (a) EXTENSION OF FEDERAL TRANSIT ASSISTANCE PROGRAMS.—Except as otherwise provided in this title, requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under title III of SAFETEA–LU (119 Stat. 1544), the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1572), title III of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2087), title III of the Transportation Equity Act for the 21st Century (112 Stat. 338), and chapter 53 of title 49, United States Code, which would otherwise expire on or cease to apply after September 30, 2009, or the date specified in section 106(3) of the Continuing Appropriations Resolution, 2010 (Public Law 111–68), are incorporated by reference and shall continue in effect through September 30, 2010.

(b) AUTHORIZATIONS.—For fiscal year 2010—

(1) their shall be available from the Mass Transit Account of the Highway Trust Fund $8,343,171,000 for each Federal transit assistance program under section 5338(b) of title 49, United States Code, to be allocated among such programs in proportion to the amounts provided for each such program in fiscal year 2009; and

(2) there is authorized to be appropriated $2,164,581,000 for each Federal transit program under subsections (c) and (d) of section 5338 of title 49, United States Code, and for administrative expenses under subsection (e) of such section.

(c) EXCEPTIONS.—

(1) PROJECTS FOR BUS AND BUS-RELATED FACILITIES AND CLEAN FUELS GRANT PROGRAM.—The project designations contained in section 3044 of SAFETEA–LU (119 Stat. 1652) shall not apply to funds made available under subsection (b)(1).

(2) ALLOCATIONS FOR NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.—A program, project, or activity identified in section 3046 of SAFETEA–LU (119 Stat 1706) that the Secretary of Transportation determines was sufficiently funded before or during fiscal year 2009 to achieve the authorized purpose of the program, project, or activity shalt not be eligible for funds authorized to be appropriated under subsection (b)(2).

(d) CONTRACT AUTHORITY—A grant or contract approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund through September 30, 2010, to carry out sections 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339 and 5340 of title 49, United States Code, and section 3038 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note; 112 Stat. 392) is a contractual obligation of the Government to pay the Federal share of the cost of the project.

(e) RECONCILIATION OF FUNDS.—The Secretary shall reduce the amount apportioned or allocated for a program, project, or activity continued under this section by any amount apportioned or allocated for such program, project, or activity pursuant to the Continuing Appropriation Resolution, 2010 (Public Law 111–68).

(f) REFERENCES.—Except as otherwise expressly provided, any reference in this section to an Act, or a provision contained in an Act, shall be considered to include the amendments made by that Act or provision.

BOATING SAFETY EXTENSION

SEC. 2006. Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) by striking ''2009, and the period from October 1, 2009, and the period from October 1, 2009, through the date specified in section 106(3) of the first Continuing Appropriations Resolution for Fiscal Year 2010 enacted into law, and inserting ''2010,''; and

(2) in subsection (b)(1)(A) by striking ''2009 and the period from October 1, 2009, through the date specified in section 106(3) of the first Continuing Appropriations Resolution for Fiscal Year 2010 enacted into law,'' and inserting ''2010,''.

LEVEL OF OBLIGATION LIMIITATIONS

Sec. 2007. (a) HIGHWAY CATEGORY—Section 8003(a) of SAFETEA–LU (119 Stat. 1917) is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by adding at the end the following:

''(6) for fiscal year 2010, $42,469,970,178.''.

(b) MASS TRANSIT CATEGORY.—Section 8003(b) of SAFETEA–LU (119 Stat. 1917) is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) for fiscal year 2010, $10,338,065,000.''.

HAZARDOUS MATERIALS RESEARCH

SEC. 2008. Section 7131(e) of SAFETEA–LU (119 Stat. 1910) is amended by striking ''2009'' and inserting ''2010''.

EXTENSION AND EXPANSION OF EXPENDITURE AUTHORITY FROM TRUST FUNDS

SEC. 2009. (a) HIGHWAY TRUST FUND.—

(1) HIGHWAY ACCOUNT.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''September 30, 2009 (October 1, 2009'' and inserting ''September 30, 2010 (October 1, 2010'', and

(B) by striking ''under'' and all that follows and inserting ''under the Surface Transportation Extension Act of 2009 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act).''.

(2) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 95303(e) of such Code is amended—

(A) by striking ''October 1, 2009'' and inserting ''October 1, 2010'', and

(B) by striking ''in accordance with'' and all that follows and inserting ''in accordance with the Surface Transportation Extension Act of 2009 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act).''.

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of such Code is amended by striking ''September 30, 2009 (October 1, 2009'' and inserting ''September 30, 2010 (October 1, 2010''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—

(1) IN GENERAL.—Paragraph (2) of section 9504(b) of such Code is amended—

(A) by striking ''(as in effect'' in subparagraph. (A) and all that follows in such subparagraph and inserting ''(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009),'',

(B) by striking ''(as in effect'' in subparagraph (B) and all that follows in such subparagraph and inserting ''(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009), and'', and

(C) by striking ''(as in effect'' in subparagraph (C) and all that follows in such subparagraph and inserting ''(as in effect on the date of the enactment of the Surface Transportation Extension Act of 2009).''.

(2) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking ''October 1, 2009'' and inserting ''October 1, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on September 30, 2009.

DETERMINATION OF HIGHWAY TRUST FUND BALANCES

SEC. 2010. (a) RESTORATION OF CERTAIN FOREGONE INTEREST TO HIGHWAY TRUST FUND.—Subsection (f) of section 9503 of the Internal Revenue Code of 1986 (relating to determination of trust fund balances after September 30, 1998) is amended—

(1) by striking paragraph (2); and

(2) by adding at the end the following new paragraph:

''(2) RESTORATION OF FOREGONE INTEREST.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated (without fiscal year limitation)—

''(A) $14,700,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) of the Highway Trust Fund, and

''(B) $4,800,000,000 to the Mass Transit Account of the Highway Trust Fund.''.

(b) REPEAL OF PROVISION PROHIBITING CREDITING OF INTEREST TO HIGHWAY TRUST FUND.—

(1) IN GENERAL.—Paragraph (1) of section 9503(f) of such Code is amended by striking subparagraph (B).

(2) CONFORMING AMENDMENTS.—Such paragraph, as amended by paragraph (1), is further amended—

(A) by striking '', and'' at the end of subparagraph (A) and inserting a period, and

(B) by striking ''1998'' in the matter preceding subparagraph (A) and all that follows through ''the opening balance'' and inserting ''1998, the opening balance''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

REPEAL OF TRANSFERS FROM HIGHWAY TRUST FUND FOR REPAYMENTS AND CREDITS

SEC. 2011. (a) IN GENERAL.—Subsection (c) of section 9503 of the Internal Revenue Code of 1986 is amended by striking paragraph (2) and by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5).

(b) CONFORMING AMENDMENTS.—

(1) Section 9502(a) of such Code is amended by striking ''section 9503(c)(7)'' and inserting ''section 9503(c)(5)''.

(2) Section 9503(b)(4)(D) of such Code is amended by striking ''paragraph (4)(D) or (5)(B)'' and inserting ''paragraph, (3)(D) or (4)(B)''.

(3) Section 9503(c)(2) of such Code, as redesignated by subsection (a), is amended by adding at the end the following sentence: ''The amounts payable from the Highway Trust Fund under the preceding sentence shall be determined by taking into account only the portion of the taxes which are deposited into the Highway Trust Fund.''.

(4) Section 9503(e)(5)(A) of such Code is amended by striking ''paragraphs (2), (3), and (4)'' and inserting ''paragraphs (2) and (3)''.

(5) Section 9504(a) of such Code is amended by striking ''section 9503(c)(4), section 9503(c)(5)''

and inserting ''section 9503(c)(3), section 9503(c)(4)''.

(6) Section 9504(b)(2) of such Code is amended by striking ''section 9503(c)(5)'' and inserting ''section 9503(c)(4)''.

(7) Section 9504(e) of such Code is amended by striking ''section 9503(c)(4)'' and inserting ''section 9503(c)(3)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid, and credits allowed with respect to fuel used, in calendar quarters beginning after the date of the enactment of this Act.

FEDERAL SHARE

SEC. 2012. (a) IN GENERAL.—Notwithstanding any other provision of law, the Federal share of the cost of a covered project or activity (or portion of a covered project or activity) funded with amounts obligated during the period beginning on the date of enactment of this Act and ending on September 30, 2010, shall be, at the option of the recipient, up to 100 percent.

(b) COVERED PROJECT OR ACTIVITY DEFINED.—

(1) IN GENERAL.—In this section, the term ''covered project or activity'' means a project or activity eligible for assistance under titles I through VI of SAFETEA–LU (119 Stat. 1144), the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1572), titles 1 through VI of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914), titles I through V of the Transportation Equity Act for the 21st Century (112 Stat. 107), title 23, United States Code, chapter 53 of title 49, United States Code, chapter 303 of title 49, United States Code, chapter 303 of title 49, United States Code, or part B of subtitle VI of title 49, United States Code.

(2) EXCLUSIONS.—Notwithstanding paragraph (1), the term does not include a project or activity funded pursuant to—

(A) seciton 1301 or 1302 of SAFETEA–LU (119 Stat. 1198, 1204); SAFETEA–LU (119 Stat. 1144), the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1572), titles I through VI of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1914), titles I through V of the Transportation Equity Act for the 21st Century (112 Stat. 107), title 23, United States Code, chapter 303 of title 49, United States Code, or part B of subtitle VI of title 49, United States Code.

(2) EXCLUSIONS.—Notwithstanding paragraph (1), the term does not include a project or activity funded pursuant to Chapter 53 of title 49, United States Code,

(A) section 1301 Or 1302 of SAFETEA–LU (119 Stat. 1198, 1204);

(B) section 5309(d) or 5309(e) of title 49, United States Code;

(C) the national infrastructure investments program in the Office of the Secretary of Transportation; or

(D) section 122 of the Department of Transportation Appropriations Act, 2010.

(c) REFERENCES.—Any reference in this section to an Act, or a provision contained in an Act, shall be considered include the amendments made by that Act or provision.

BUY AMERICA REQUIREMENTS FOR HIGHWAY AND PUBLIC TRANSPORTATION PROJECTS

SEC. 2013. (a) HIGHWAYS.—Section 313 of title 23, United States Code, is amended—

(1) by redesignating subsections (c) through (f) as subsections (e) through (h), respectively;

(2) by inserting after subsection (b) the following:

''(c) REQUIREMENTS FOR ISSUANCE OF WAIVERS.—

''(1) PUBLIC INTEREST WAIVERS.—The Secretary may issue a waiver under subsection (b)(1) only after the Secretary has considered the potential impacts of the waiver on domestic manufacturing employment.

''(2) INSUFFICIENT DOMESTIC SOURCE WAIVERS.—The Secretary may issue a waiver under subsection (b)(2) with respect to a material or product only if the Secretary publishes notice of the waiver on the Internet for a period of at least 5 business days prior to issuance of the waiver and a sufficient domestic source of the material or product does not identify itself during the period.

''(d) TRANSPARENCY OF WAIVERS.—

''(1) IN GENERAL.—When the Secretary receives a written request for a waiver under this section, the Secretary shall—

''(A) publish the request on the Internet within 5 business days of the date of receipt of the request; and

''(B) if the Secretary decides to issue a waiver based on the request, publish on the Internet, within 30 days following the date of issuance of the waiver, a detailed written justification as to why the waiver is necessary, including an identification of the amount of Federal funds associated with the waiver.

''(2) EMPLOYMENT IMPACT STATEMENT.—In issuing a waiver based on a finding under subsection (b)(1), the Secretary shall include, as part of the Secretary's written justification for the waiver decision, a statement detailing the short- and long-term impact of the decision on domestic manufacturing employment.''; and

(3) by adding at the end the following:

''(1) APPLICATION TO BRIDGE PROJECTS.—In the case of a bridge project, the requirements of this section apply to all construction contracts carried out within the scope of the applicable decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and carried out on the bridge from abutment to abutment (including the abutments) regardless of the funding source of the contracts if at least one contract for construction with respect to the bridge is funded with amounts made available under this title.''.

(b) PUBLIC TRANSPORTATION.—Section 5323(j) of title 49, United States Code, is amended—

(1) in paragraph (2)(C) in the matter preceding clause (i) by inserting '', but excluding a rolling stock prototype'' after ''equipment'';

(2) by redesignating paragraphs (3) through (9) as paragraphs (5) through (11), respectively; and

(3) by inserting after paragraph (2) the following:

''(3) REQUIREMENTS FOR ISSUANCE OF WAIVER.—

''(A) PUBLIC INTEREST WAIVERS.—The Secretary may issue a waiver under paragraph (2)(A) only after the Secretary has considered the potential impacts of the waiver on domestic manufacturing employment.

''(B) INSUFFICIENT DOMESTIC SOURCE WAIVERS.—The Secretary may issue a waiver under paragraph (2)(B) with respect to a material or product only if the Secretary publishes notice of the waiver on the Internet for a period of at least 5 business days prior to issuance of the waiver and a sufficient domestic source of the material or product does not identify itself during the period.

''(4) TRANSPARENCY OF WAIVERS.—

''(A) IN GENERAL.—When the Secretary receives a written request for a waiver under this subsection, the Secretary shall—

''(i) publish the request on the Internet within 5 business days of the date of receipt of the request; and

''(ii) if the Secretary decides to issue a waiver based on the request, publish on the Internet, within 30 days following the date of issuance of the waiver, a detailed written justification as to why the waiver is necessary, including an identification of the amount of Federal funds associated with the waiver.

''(B) EMPLOYMENT IMPACT STATEMENT.—In issuing a waiver based on a finding under paragraph (2)(A), the Secretary shall include, as part of the Secretary's written justification of the waiver decision, a statement detailing the short- and long-term impact of the decision on domestic manufacturing employment.''.

(c) IMPLEMENTATION.—

(1) FINAL GUIDANCE.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue final guidance to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The requirements of the amendments made by subsections (a) and (b) shall begin to apply only after issuance of final guidance by the Secretary under paragraph (1).

(d) SEMIANNUAL REPORT.—Not later than 6 months after the date of enactment of this Act, and semiannually thereafter through September 30, 2011, the Comptroller General shall submit to the Committee on Transportation and Infrastructure and the Committee on Education and Labor of the House of Representatives and the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the number of waivers issued by the Secretary of Transportation under section 313(b) of title 23, United States Code, and section 5323(j)(2) of title 49, United States Code, the reasons relied upon for issuing the waivers, and the amount of Federal funds associated with each waiver and in total for the period examined.

TITLE III—UNEMPLOYMENT AND OTHER EMERGENCY NEEDS

CHAPTER 1—AGRICULTURE AND RURAL DEVELOPMENT

DEPARTMENT OF AGRICULTURE

GENERAL PROVISION, THIS CHAPTER

RELIEF FOR DISCRIMINATION IN A CREDIT PROGRAM OF THE DEPARTMENT OF AGRICULTURE UNDER THE EQUAL CREDIT OPPORTUNITY ACT

Sec. 3101. (a) IN GENERAL.—To the extent permitted by the Constitution, and notwithstanding any other period of limitations, in the case of an eligible complaint alleging discrimination in violation of the Equal Credit Opportunity Act (15 U.S.C. 1691) involving a credit program of the Department of Agriculture, a complainant may, before the end of the filing period—

(1) file a civil action under subsection (c); or

(2) request administrative review under subsection (d).

(b) ELIGIBLE COMPLAINT.—For purposes of this section, the term ''eligible complaint'' means any written complaint—

(1) that is not employment related;

(2) that was filed with the Department of Agriculture after December 31, 1997, and before the earlier of—

(A) 2 years after the date of the alleged violation of the Equal Credit Opportunity Act; and

(B) the date of the enactment of this Act; and

(3) with respect to which the complainant—

(A) was not a party to the consent decree in the case entitled ''Pigford v. Glickman'', approved by the United States District Court for the District of Columbia on April 14, 1999; and

(B) has not obtained relief from the Department of Agriculture or a court of competent jurisdiction.

(c) CIVIL ACTION.—A civil action may be filed under this subsection if, with respect to the eligible complaint, the complainant—

(1) has not requested administrative review; or

(2) has requested administrative review, and the Secretary, with respect to each request, has either—

(A) issued a determination; or

(B) failed to issue a determination by a date that is 180 days after the date such request was made.

(d) ADMINISTRATIVE REVIEW.—Administrative review may be requested under this subsection as follows:

(1) DETERMINATION ON THE MERITS.—A complainant may request a determination on the merits if the complainant, with respect to the eligible complaint, has not filed a civil action.

(2) HEARING ON THE RECORD—A complainant may request a hearing on the record if the complainant, with respect to the eligible complaint—

(A) has not filed a civil action;

(B) has requested a determination on the merits, and the Secretary has not issued such determination by the issuance deadline in subsection (f)(2)(A); and

(C) requests such hearing no later than 180 days after the issuance deadline in subsection (f)(2)(A).

(e) INFORMAL RESOLUTION.—Notwithstanding any other provision of this section, the Secretary may informally resolve an eligible complaint with a complainant.

(f) SPECIAL RULES FOR ADMINISTRATIVE REVIEW.—For purposes of this section:

(1) REQUESTS FOR ADMINISTRATIVE REVIEW.—A request for administrative review shall be—

(A) in writing; and

(B) filed in accordance with procedures established by the Secretary.

(2) RESPONSIBILITY OF SECRETARY.—If a complainant requests a determination, on the merits under subsection (d)(1), then, unless a complainant, with respect to the eligible complaint, files a civil action or requests a hearing on the record, the Secretary shall, with respect to the eligible complaint, take the following actions:

(A) ISSUANCE OF DETERMINATION.—The Secretary shall, not later than an issuance deadline that is 1 year after the date on which the complainant requests a determination on the merits—

(i) investigate the eligible complaint; and

(ii) issue a written determination.

(B) NOTICE OF FAILURE TO ISSUE TIMELY DETERMINATION.—If the Secretary does not issue a written determination by the issuance deadline in subparagraph (A), the Secretary shall promptly issue to the Complainant, in writing and by registered mail, notice—

(i) that the Secretary has not issued a timely determination; and

(ii) of the period of time during which the complainant may bring a civil action or request a hearing on the record.

(3) FINALITY OF DETERMINATION WITH RESPECT TO HEARING ON THE RECORD.—A determination with respect to a hearing on the record shall be final.

(4) JUDICIAL REVIEW OF ADMINISTRATIVE DETERMINATION.—A determination on the merits or a determination with respect to a hearing on the record shall be subject to de novo review.

(g) FILING PERIOD.—

(1) IN GENERAL.—For purposes of this section, the term ''filing period'' means the 2–year period beginning on the date of enactment of this Act.

(2) TOLLING.—The running of the filing period in paragraph (1), for the purpose of filing a civil action under subsection (c) or requesting a hearing on the record under subsection (d)(2), shall be tolled for the period that, with respect to the eligible complaint—

(A) begins on the date of a request for a determination on the merits; and

(B) ends on the date on which the Secretary issues a determination with respect to a determination on the merits or a hearing on the record.

(h) RELIEF.—

(1) AMOUNT.—Subject to paragraph (2), a complainant shall, under subsection (a), and may, under subsection (e), be awarded such relief as the complainant would be afforded under the Equal Credit Opportunity Act, including—

(A) actual damages;

(B) the costs of the action, together with a reasonable attorney's fee; and

(C) debt relief; including—

(i) write-downs or write-offs of the principal on a loan;

(ii) write-downs or write-offs of the interest on a loan;

(iii) reduction of the interest rate on a loan;

(iv) waiver or reduction of penalties with respect to a loan; or

(v) other modification of the terms of a loan.

(2) LIMITATIONS ON RELIEF.—

(A) IN GENERAL.—The total amount awarded under this section for all claims shall not exceed $100,000,000.

(B) ACTUAL DAMAGES, COSTS, AND ATTORNEY'S FEES.—The sum of the total amount awarded under paragraph (1)(A) for all claims, plus the total amount awarded under paragraph (1)(B) for all claims, shall not exceed $40,000,000.

(C) DEBT RELIEF.—The total amount awarded under paragraph (1)(C) for all claims shall not exceed $60,000,000.

(3) EXEMPTION FROM TAXATION—Any award under clauses (ii), (iii), or (iv) of subparagraph (C) of paragraph (1) shall not be included in gross income for purposes of chapter 1 of the Internal Revenue Code of 1986.

(i) FUNDING.—

(1) There is hereby appropriated to the Secretary, for relief awarded under subsection (h)(1), $100,000,000, to remain available until expended.

(2) Of the funds derived from interest on the cushion of credit payments including funds in the current fiscal year, as authorized by section 313 of the Rural Electrification Act of 1936, an additional $100,000,000 shall not be obligated and an additional $100,000,000 are rescinded.

(j) SECRETARY.—For purposes of this section, the term ''Secretary'' means the Secretary of Agriculture.

CHAPTER 2—FINANCIAL SERVICES AND GENERAL GOVERNMENT

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

For an additional amount for ''Business Loans Program Account'' for fee reductions and eliminations under section 501 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) and for the cost of guaranteed loans under section 502 of such division, $354,000,000: Provided, That such cost shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That authority to guarantee loans under section 502 of division A of the American Recovery and Reinvestment Act of 2009 shall remain in effect through September 30, 2010, notwithstanding subsection (f) of such section.

GENERAL PROVISION, THIS CHAPTER

RESCISSIONS

SEC. 3201. The following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) ''National Telecommunications and Information Administration—Digital-to-Analog Converter Box Program'' in the Department of Commerce, $111,000,000.

(2) ''Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)'' of the Department of Agriculture, $243,000,000, to be derived from unobligated balances available from amounts placed in reserve in title I of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115).

CHAPTER 3—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

GENERAL PROVISIONS, THIS CHAPTER

ASSISTANCE FOR UNEMPLOYED WORKERS AND STRUGGLING FAMILIES

SEC. 3301. (a)(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking ''December 31, 2009'' each place it appears and inserting ''June 30, 2010'';

(B) in the heading for subsection (b)(2), by striking ''DECEMBER 31, 2009'' and inserting ''JUNE 30, 2010''; and

(C) in subsection (b)(3), by striking ''May 31, 2010'' and inserting ''November 30, 2010''.

(2) Section 2002(e) of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 438), is amended—

(A) in paragraph (1)(B), by striking ''January 1, 2010'' and inserting ''July 1, 2010'';

(B) in the heading for paragraph (2), by striking ''JANUARY 1, 2010'' and inserting ''JULY 1, 2010''; and

(C) in paragraph (3), by striking ''June 30, 2010'' and inserting ''December 31, 2010''.

(3) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking ''January 1, 2010'' each place it appears and inserting ''July 1, 2010''; and

(B) in subsection (c), by striking ''June 1, 2010'' and inserting ''December 1, 2010''.

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''May 30, 2010'' and inserting ''November 30, 2010''.

(b) Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking ''by reason of'' and all that follows and inserting the following: ''by reason of—

''(A) the amendments made by section 2001(a) of the Assistance for Unemployed Workers and Struggling Families Act;

''(B) the amendments made by sections 2 through 4 of the Worker, Homeownership, and Business Assistance Act of 2009; and

''(C) the amendments made by section 3301(a)(1) of the Jobs for Main Street Act, 2010; and''.

EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS

SEC. 3302. (a) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended by striking ''December 31, 2009'' and inserting ''June 30, 2010''.

(b) EXTENSION OF MAXIMUM DURATION OF ASSISTANCE.—Subsection (a)(2)(A)(ii)(I) of such section is amended by striking ''9 months'' and inserting ''15 months''.

(c) RULES RELATED TO 2009 EXTENSION.—Subsection (a) of such section is further amended by adding at the end the following:

''(16) RULES RELATED TO 2009 extension.—

''(A) ELECTION TO PAY PREMIUMS RETROACTIVELY AND MAINTAIN COBRA COVERAGE.—In the case of any premium for a period of coverage during an assistance eligible individual's transition period, such individual shall be treated for purposes of any COBRA continuation provision as having timely paid the amount of such premium if—

''(i) such individual was covered under the COBRA continuation coverage to which such premium relates for the period of coverage immediately preceding such transition period, and

''(ii) such individual pays, not later than 60 days after the date of the enactment of this paragraph (or, if later, 30 days after the date of provision of the notification required under subparagraph (D)(ii)), the amount of such premium, after the application of paragraph (1)(A).

''(B) REFUNDS AND CREDITS FOR RETROACTIVE PREMIUM ASSISTANCE ELIGIBILITY.—IN THE CASE OF AN ASSISTANCE ELIGIBLE INDIVIDUAL WHO PAYS, WITH RESPECT TO ANY PERIOD OF COBRA CONTINUATION COVERAGE DURING SUCH INDIVIDUAL'S TRANSITION PERIOD, THE PREMIUM AMOUNT FOR SUCH COVERAGE WITHOUT REGARD TO PARAGRAPH (1)(A), RULES SIMILAR TO THE RULES OF PARAGRAPH (12)(E) SHALL APPLY.

''(C) TRANSITION PERIOD.—

''(i) IN GENERAL.—For purposes of this paragraph, the term 'transition period' means, with respect to any assistance eligible individual, any period of coverage if—

''(I) such period begins before the date of the enactment of this paragraph, and

''(II) paragraph (1)(A) applies to such period by reason of the amendment made by section 3302(b) of the Jobs for Main Street Act, 2010.

''(ii) CONSTRUCTION.—Any period during the period described in subclauses (I) and (II) of clause (i) for which the applicable premium has been paid pursuant to subparagraph (A) shall be treated as a period of coverage referred to in such paragraph, irrespective of any failure to timely pay the applicable premium (other than pursuant to subparagraph (A)) for such period.

''(D) NOTIFICATION.—

''(i) IN GENERAL.—In the case of an individual who was an assistance eligible individual at any time on or after October 31, 2009, or experiences a qualifying event (consisting of a reduction of hours or termination of employment) relating to COBRA continuation coverage on or after such date, the administrator of the group health plan (or other entity) involved shall provide an additional notification with information regarding the amendments made by the Jobs for Main Street Act, 2010 within 60 days after the date of the enactment of such Act or, in the case of a qualifying event occurring after such date of enactment, consistent with the timing of notifications under paragraph (7)(A).

''(ii) TO INDIVIDUALS WHO LOST ASSISTANCE.—In the case of an assistance eligible individual described in subparagraph (A)(i) who did not timely pay the premium for any period of coverage during such individual's transition period or paid the premium for such period without regard to paragraph (1)(A), the administrator of the group health plan (or other entity) involved shall provide to such individual, within the first 60 days of such individual's transition period, an additional notification with information regarding the amendments made by the Jobs for Main Street Act, 2010, including information on the ability under subparagraph (A) to make retroactive premium payments with respect to the transition period of the individual in order to maintain COBRA continuation coverage.

''(iii) APPLICATION OF RULES.—Rules similar to the rules of paragraph (7) shall apply with respect to notifications under this subparagraph.''.

(d) CLARIFICATIONS RELATING TO SECTION 3001 OF ARRA.—

(1) CLARIFICATION THAT ELIGIBILITY AND NOTICE IS BASED ON TIMING OF QUALIFYING EVENT.—Subsection (a) of such section is amended—

(A) in paragraph (3)(A)—

(i) by striking ''at any time'' and inserting ''such qualified beneficiary is eligible for COBRA continuation coverage related to a qualifying event occurring''; and

(ii) by striking '', such qualified beneficiary is eligible for COBRA continuation coverage''; and

(B) in paragraph (7) (A), by striking ''become entitled to elect COBRA continuation coverage and inserting ''have a qualifying event relating to COBRA continuation coverage''.

(2) CLARIFICATION REGARDING RETIREE COVERAGE.—Subsection (a)(2)(A)(i) of such section is amended by inserting ''coverage under a retiree health plan,'' after ''other than''.

(3) CLARIFICATION REGARDING COBRA CONTINUATION RESULTING FROM REDUCTIONS IN HOURS.—Subsection (a) of such section is further amended—

(A) in paragraph (3)(C), by inserting before the period at the end the following: ''or consists of a reduction of hours followed by such an involuntary termination of employment during such period''; and

(B) by adding at the end the following:

''(17) SPECIAL RULES IN CASE OF INDIVIDUALS LOSING COVERAGE BECAUSE OF A REDUCTION OF HOURS.—

''(A) NEW ELECTION PERIOD.—

''(i) IN GENERAL.—For the purposes of the COBRA continuation provisions, in the case of an individual described in subparagraph (C) who did not make (or who made and discontinued) an election of COBRA continuation coverage on the basis of the reduction of hours of employment, the involuntary termination of employment of such individual after the (date of the enactment of the Jobs for Main Street Act, 2010, shall be treated as a qualifying event.

''(ii) COUNTING COBRA DURATION PERIOD FROM PREVIOUS QUALIFYING EVENT.—In any case of an individual referred to in clause (i), the period of such individual's continuation coverage shall be determined as though the qualifying event were the reduction of hours of employment.

''(iii) CONSTRUCTION.—Nothing in this paragraph shall he construed as requiring an individual referred to in clause (i) to make a payment for COBRA continuation coverage between the reduction of hours and the involuntary termination of employment.

''(iv) PREEXISTING CONDITIONS.—With respect to an individual referred to in clause (i) who elects COBRA continuation coverage pursuant to such clause, rules similar to the rules in paragraph (4)(C) shall apply.

''(B) NOTICES.—In the case of an individual described in subparagraph, (C), the administrator of the group health plan (or other entity) involved shall provide, during the 60–day period beginning on the date of such individual's termination of employment, an additional notification described in paragraph (7)(A), including information on the provisions of this paragraph. Rules similar to the rules of paragraph (7) shall apply with respect to such notification.

''(C) INDIVIDUALS DESCRIBED.—Individuals described in this subparagraph are individuals who are assistance eligible individuals on the basis of a qualifying event consisting of a reduction of hours occurring during the period described in paragraph (3)(A) followed by an involuntary termination of employment insofar as such termination of employment occurred after the date of the enactment of the Jobs for Main, Street Act, 2010.''.

(4) CLARIFICATION OF PERIOD OF ASSISTANCE.—Subsection (a)(2)(A)(ii)(I) of such section is amended by striking ''of the first month''.

(5) ENFORCEMENT.—Subsection (a)(5) of such section is amended by adding at the end the lowing: ''In addition to civil actions that may be brought to enforce applicable provisions of such Act or other laws, the appropriate Secretary or an affected individual may bring a civil action to enforce such determinations and for appropriate relief. In addition, such Secretary may assess a penalty against a plan sponsor or health insurance issuer of not more than $110 per day for each failure to comply with such, determination of such Secretary after 10 days after the date of the plan sponsor's or issuer's receipt of the determination.''

(6) AMENDMENTS RELATING TO SECTION 3001 OF ARRA.—

(A) Subsection (g) of section 35 of the Internal Revenue Code of 1986 is amended by striking ''section 3002(a) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a) of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(B) Section 139C of such Code is amended by striking ''section 3002 of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001 of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(C) Section 6432 of such Code is amended—

(i) in subsection (a), by striking ''section 3002(a) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a) of title III of division B of the American Recovery awl Reinvestment Act of' 2009'';

(ii) in subsection (c)(3), by striking ''section 3002(a)(1)(A) of such Act'' in subsection (c)(3) and inserting ''section 3001(a)(1)(A) of title III of division B of the American Recovery and Reinvestment Act of 2009''; and

(iii) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively, and inserting after subsection (d) the following new subsection:.

''(e) EMPLOYER DETERMINATION OF QUALIFYING EVENT AS INVOLUNTARY TERMINATION.—For purposes of this section, in any case in which—

''(1) based on a reasonable interpretation of section 3001(a)(3)(C) of division B of the American Recovery and Reinvestment Act of 2009 and administrative guidance thereunder, an employer determines that the qualifying event with respect to COBRA continuation coverage for an individual was involuntary termination of a covered employee's employment, and

''(2) the employer maintains supporting documentation of the determination, including an attestation by the employer of involuntary termination with respect to the covered employee,

the qualifying event for the individual shall be deemed to be involuntary termination of the covered employee's employment.''.

(D) Subsection (a) of section 6720C of such Code is amended by striking ''section 3002 (a)(2)(C) of the Health Insurance Assistance for the Unemployed Act of 2009'' and inserting ''section 3001(a)(2)(C) of title III of division B of the American Recovery and Reinvestment Act of 2009''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 to which they relate, except that—

(1) the amendments .made by subsections (d)(2) and (d)(3) shall apply to periods of coverage beginning after the date of the enactment of this Act; and

(2) the amendment made by subsection (d)(5) shall take effect on the date of the enactment of this Act.

EXTENSION OF RECOVERY ACT INCREASE IN FMAP

SEC. 3303. Section 5001 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended—

(1) in subsection (a)(3), by striking ''first calendar quarter'' and inserting ''first 3 calendar quarters'';

(2) in subsection (b)(2), by inserting before the period at the end the following: ''and such paragraph shall not apply to calendar quarters beginning on or after October 1, 2010'';

(3) in subsection (c)(4)(C)(ii), by striking ''December 2009'' and ''January 2010'' and inserting ''June 2010'' and ''July 2010'', respectively;

(4) in subsection (d), by inserting ''ending before October 1, 2010'' after ''entire fiscal years'' and after ''with respect to fiscal years'';

(5) in subsection (g)(1), by striking ''September 30, 2011'' and inserting ''March 31, 2012''; and

(6) in subsection (h)(3), by striking ''December 31, 2010'' and inserting ''June 30, 2011''.

REPEAL OF EARNED INCOME THRESHOLD FOR DETERMINING REFUNDABLE PORTION OF CHILD TAX CREDIT

SEC. 3304. (a) IN GENERAL.—Clause (i) of section 24(d)(1)(B) of the Internal Revenue Code of 1986 is amended to read as follows:

''(i) 15 percent of the taxpayer's earned income (within the meaning) of section 32) which is taken into account in computing taxable income, or''.

(b) CONFORMING AMENDMENTS.—Subsection (d) of section 24 of such Code is amended—

(1) by striking paragraph (3), and

(2) by striking paragraph (4).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

(d) APPLICATION OF EGTRRA SUNSET.—The amendments made by subsection (a) and (b)(1) shall be subject to title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 in the same manner as the provision of such Act to which such amendment relates.

HHS POVERTY GUIDELINES

SEC. 3305. Notwithstanding section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)) or any other provision of law, the poverty line for 2010 issued by the Secretary of Health and Human Services under such section 673(2) shall be not lower than the poverty line so issued on January 23, 2009 (74 Fed. Reg. 14). This section shall have no effect on such Secretary's revision of the poverty line for 2011.

REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS

SEC. 3306. (a) IN GENERAL.—Subchapter A of chapter 65 of the Internal Revenue Code of 1986

is amended by adding at the end the following new section:

"SEC. 6409. REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.

''(a) IN GENERAL.—Notwithstanding any other provision of law, any refund (or advance payment with respect to a refundable credit) made to any individual under this title shall not be taken into account as income, and shall not be taken into account as resources for the month of receipt and the following 11 months, for purposes of determining the eligibility of such individual (or any other individual) for benefits or assistance (the amount or extent of benefits or assistance) under any Federal program or under any State or local program financed in whole or in part with Federal funds.

''(b) TERMINATION.—Subsection (a) shall not apply to any amount received after December 31, 2010.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by adding at the end the following new item:

''Sec. 6109. Refunds disregarded in the administration of Federal programs and Federally assisted programs.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts received after December 31, 2009.

PERMANENT EXTENSION OF FEE WITHHOLDING PROCEDURES TO TITLE XVI AND TO QUALIFIED NON-ATTORNEY REPRESENTATIVES

SEC. 3307. (a) PERMANENT EXTENSION OF ATTORNEY FEE WITHHOLDING PROCEDURES TO TITLE XVI.—

(1) IN GENERAL.—Section 302 of the Social Security Protection Act of 2004 (Public Law 108–203; 118 Stat. 519) is amended—

*(A) in the section heading, by striking ''**TEMPORARY**''; and*

(B) in subsection (c), by striking ''EFFECTIVE DATE.—'' and all that follows through ''The amendments'' and inserting ''EFFECTIVE DATE.—The amendments'', and by striking paragraph (2).

(2) CLERICAL AMENDMENT.—The item relating to section 302 in the table of contents in section 1(b) of such Act is amended by striking ''Temporary extension'' and inserting ''Extension''.

(b) PERMANENT EXTENSION OF FEE WITHHOLDING PROCEDURES TO QUALIFIED NON-ATTORNEY REPRESENTATIVES.—

(1) IN GENERAL.—Section 206 of the Social Security Act (42 U.S.C. 406) is amended by adding at the end the following new subsection:

''(e)(1) The Commissioner shall provide for the extension of the fee withholding procedures and assessment procedures that apply under the preceding provisions of this section to agents and other persons, other than attorneys, who represent claimants under this title before the Commissioner.

''(2) Fee-withholding procedures may be extended under paragraph (1) to any nonattorney representative only if such representative meets at least the following prerequisites:

''(A) The representative has been awarded a bachelor's degree from an accredited institution of higher education, or has been determined by the Commissioner to have equivalent qualifications derived from training and work experience.

''(B) The representative has passed an examination, written and administered by the Commissioner, which tests knowledge of the relevant provisions of this Act and the most recent developments in agency and court decisions affecting this title and title XVI.

''(C) The representative has secured professional liability insurance, or equivalent insurance, which the Commissioner has determined to be adequate to protect claimants in the event of malpractice by the representative.

''(D) The representative has undergone a criminal background check to ensure the representative's fitness to practice before the Commissioner.

''(E) The representative demonstrates ongoing completion of qualified courses of continuing education, including education regarding ethics and professional conduct, which are designed to enhance professional knowledge in matters related to entitlement to, or eligibility for, benefits based on disability under this title and title XVI. Such continuing education, and the instructors providing such education, shall meet such standards as the Commissioner may prescribe.

''(3)(A) The Commissioner may assess representatives reasonable fees to cover the cost to the Social Security Administration of administering the prerequisites described in paragraph (2).

''(B) Fees collected under subparagraph (A) shall be credited to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, or deposited as miscellaneous receipts in the general fund of the Treasury, based on such allocations as the Commissioner determines appropriate.

''(C) The fees authorized under this paragraph shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Amounts so appropriated are authorized to remain available until expended for administering the prerequisites described in paragraph (2).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1631(d)(2)(A) of such Act (42 U.S.C. 1383(d)(2)(A)) is amended—

(i) in clause (iv), by striking ''and'' at the end;

(ii) in clause (v), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new clause:

''(vi) by substituting, in subsection (e)(1)—

''(I) 'subparagraphs (B) and (C) of section 1631(d)(2)' for 'the preceding provisions of this section'; and

''(II) 'title XVI' for 'this title'.''.

(B) Section 303(e)(2) of the Social Security Protection Act of 2004 (Public Law 108–203; 118 Stat. 523) is amended by striking ''AND FINAL REPORT'' in the heading and by striking the last sentence.

(3) EFFECTIVE DATE.—The Commissioner of Social Security shall provide for full implementation of the provisions of section 206(e) of the Social Security Act (as added by paragraph (1)) and the amendments made by paragraph (2) not later than March 1, 2010.

CHAPTER 4—GENERAL PROVISIONS, THIS TITLE

EMERGENCY DESIGNATIONS

SEC. 3401. (a) IN GENERAL.—Each amount in this title is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(b) PAYGO.—All applicable provisions in this title are designated as an emergency for purposes of pay-as-you-go principles.

TITLE IV—GENERAL PROVISIONS, THIS ACT

PERIOD OF AVAILABILITY

SEC. 4001. No part of any appropriation contained in this Act shall remain available for obligation beyond September 30, 2010, unless expressly so provided herein.

BUY AMERICA

SEC. 4002. All funds provided under this Act shall be subject to the requirements of section 1605 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

This Act may be cited as the ''Jobs for Main Street Act, 2010''.

The SPEAKER pro tempore. The motion shall be debatable for 1 hour equally divided and controlled by the Chair and ranking minority member of the Committee on Appropriations.

The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the pending legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Madam Speaker, I think people understand what this legislation is—it is an effort to redirect some $75 billion from TARP funds that in the past have been directed to help Wall Street. Instead, direct them to Main Street to try to help Americans who are struggling to hang onto their jobs, their houses, and their health care. I think the need for it is obvious, and I urge passage.

I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, Chairman OBEY calls this legislation the Jobs for Main Street Act; I call it economic insanity. Truly, this is one of those rare occasions when I hardly know where to begin.

It is because of legislation like this and the manner in which it was produced that the public has lost faith in this Congress and why confidence in Washington is at an all-time low.

This legislation repeats the failures of the so-called ''Recovery Act'' by pouring another $150 billion into programs included in the original stimulus package that have so far failed to produce real results or real jobs.

Secondly, this legislation adds an additional $150 billion to a budget deficit that has already tripled in the last year. The Democrat majority claims that this spending is offset with funds from the TARP program, but under present law these dollars are already dedicated to reducing our debt. The public should not be fooled; every dollar will come out of the Treasury and taxpayers will be footing the bill.

Further, this legislation is a virtual mystery to almost every single Member of the House. I think we got the basic material like at 11 o'clock last night, I think. Its contents were released just shy of midnight last night for most, and there is no way for anyone to have read or understood it completely. How much thought or Member input really went into it? I dare say very, very little.

Ironically, it was Chairman OBEY who said on December 11, 2006, We will work to restore an accountable, aboveboard, transparent process for funding decisions and put an end to the abuses that have harmed the credibility of the Congress. This is a demonstration project of just how serious Mr. OBEY was about that.

Let me take just a moment to outline the transparent process by which

this legislation comes before us today. Chairman OBEY instructed his majority staff not to share any details or information with the minority staff about the bill. Chairman OBEY's staff sent the bill to the Rules Committee at 11 o'clock last night. It has had no hearings, no markup, and is prevented from being amended on the House floor today. Mr. Speaker, martial law in the House of Representatives is hardly change that we can believe in.

Yet another irony in today's debate is that the Democrat majority has suddenly found religion by championing so-called ''PAYGO'' rules. This is occurring at the very same time that they are proposing to spend another $150 billion and even as they have voted to increase the debt limit. We pass the debt limit, spend another $150 billion.

Not long ago, small business in America was the backbone and the lifeblood of our national economy. Today, higher taxes and excessive government regulations have small business in a stranglehold, and that's even before Congress puts its stamp of approval on government-run health care.

With all this reliance on Uncle Sam, why don't we just put everyone in the United States on the Federal Government payroll and call it a day? In essence, that's what this fatally flawed process attempts to do.

□ 1645

According to Transportation Weekly, ''Even if you only count title I of the stimulus II bill as an appropriations bill, it would still be the third largest fiscal year 2010 discretionary appropriations bill—bigger than Agriculture, Commerce-Justice, Energy and Water, Financial Services, Homeland Security, Interior and Environment, legislative branch, State/foreign operations, and the THUD bill.''

Imagine what Ranking Member DAVID OBEY's reaction would have been had a GOP majority moved a supplement of this size to the House floor on less than 24-hours' notice and with no committee markup? Can you imagine the screaming from the rooftops? We have seen that before.

On more than one occasion, my friend, the majority leader, has suggested that the House minority has become the so-called party of ''no,'' but he forgot to finish the sentence. House Republicans are the party of no more spending beyond our means. We are the party of no more increases to the historic debt limit. Republicans in the House are the party of no more busting the spending cap and calling it ''emergency spending.''

Our country's economy will never recover as long as Congress continues making the same mistakes over and over again. Spending by this House majority is unconstrained and unsustainable. Billions and billions and billions spent on the continued expansion of government will only exacerbate our financial troubles and will bring little or no relief to those without jobs.

Through this legislation, Congress is demonstrating once again that it is both unwilling and incapable of restraining its appetite to spend. This is nothing short of a taxpayer-funded Christmas shopping spree, financed with money borrowed from the Chinese.

I appeal to my friends, the Blue Dogs, to take a stand on this legislation. If you are serious about making a statement, this is your chance. Are the Blue Dogs serious about deficit reduction? If so, then vote ''no.''

Madam Speaker, simply put, this is an awful bill produced through a dreadful process. I strongly urge a ''no'' vote.

I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I thank the gentleman for his support.

I now yield 4 minutes to the distinguished gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. I thank the distinguished Chair of the Appropriations Committee, my good friend from across the waters in Wisconsin, Mr. OBEY, and I applaud him for his extraordinary persistence and leadership in bringing to us this Jobs for Main Street Act. He has been consistent, persistent, forceful, vocal, and very laser beam-oriented on creating jobs.

Madam Speaker, in this Jobs for Main Street, $39 billion is allocated to additional transportation and infrastructure investment to create and sustain family-wage construction jobs and, at the same time, rebuilding the Nation's highways and bridges and wastewater treatment systems.

We extend in this provision the highway and highway safety and transit programs through September 30, 2010. There is $27.5 billion for highways, $8.4 billion for transit, as in the current Recovery Act. There is $800 million for Amtrak, $500 million for airports where an extraordinary success was achieved with nearly all of the airport projects being either completed or under contract on the job, improving our airport capacity. There is $1 billion for the Clean Water State Revolving Loan Funds to improve wastewater treatment facilities and to build new ones where they don't exist today. There is $715 million for the Corps of Engineers, and there is $100 million for ship construction to help our maritime interests.

We have a highly successful record on that portion of the stimulus that comes from the Committee on Transportation and Infrastructure from which both Mr. OBEY and the distinguished Republican leader are graduates.

There are 220,000 direct jobs on over 8,000 projects. There are 630,000 direct jobs and jobs in the supply chain, supplying asphalt, cement, pipe, concrete, and culverts for this program. There is $10 billion paid in payroll checks and $179 million in unemployment insurance compensation checks avoided, and there is $230 million in taxes paid to the Federal Government by those on these jobs, and there is more to come.

The results: There are 28,000 miles of highway pavement—improved, widened, expanded—underway right now. That is what we have achieved to this day, and we have more to come. There are 1,200 bridges restored, repaired, replaced, and with this addition in the Jobs for Main Street Act, we will have 56,000 miles of pavement rebuilt in the coming year. That will be 10,000 miles more than the entire Interstate Highway System just in this one bill.

That is an investment in America.

I assure my colleagues that this Committee on Transportation and Infrastructure will continue its vigorous oversight and accountability and transparency. Every month, every Member has received this report from our committee, a report with 14 categories of progress for each State under these key programs. You can track how many funds are associated with projects completed, how many projects are underway, the total job hours created and sustained, and the total payroll for hours created or sustained in every month for every State.

We are making this clear that we are accountable and that we are investing in America and that we will continue to do this under the Jobs for Main Street program.

Madam Speaker, I rise in strong support of H.R. 2847, the ''Jobs for Main Street Act, 2010''.

This bill provides more than $39 billion of additional transportation and infrastructure investment to help create and sustain family-wage construction jobs and rebuild our Nation's infrastructure. The bill also extends the highway, highway safety, and public transit programs for the current fiscal year, through September 30, 2010.

One-half of the $75 billion provided by H.R. 2847 is dedicated to transportation infrastructure investment, including: $27.5 billion for highways, $8.4 billion for transit, $800 million for Amtrak, $500 million for airports, and $100 million for ship construction.

In addition, H.R. 2847 provides $11 billion for other infrastructure investment, including $1 billion for Clean Water State Revolving Funds and $715 million for Corps of Engineers infrastructure investments.

Each of these investments is paid for—we use the Wall Street bailout funds to rebuild Main Street.

These investments will build upon the investments already underway pursuant to the American Recovery and Reinvestment Act of 2009 (P.L. 111–5) (Recovery Act), and will create and sustain more than 1 million good, family-wage jobs.

The transportation and infrastructure investments of the Recovery Act have already played a key role in putting Americans back to work. Federal agencies, States, and their local partners have demonstrated they can deliver transportation and infrastructure projects and create urgently needed employment in the tight timeframes set forth in the Recovery Act. This Act has already resulted in almost 7,900 highway and transit projects breaking ground as well as hundreds of thousands of workers getting off the bench and back on the job all across the Nation.

However, we have only begun to stem the tide of unemployment caused by the worst recession since the Great Depression. More than 1.7 million construction workers are out of work and the unemployment rate in construction is 19.4 percent—the highest unemployment rate of any industrial sector. In addition, the private sector construction market has collapsed. At a recent hearing of the Committee on Transportation and Infrastructure, the president of an asphalt supply company testified that, although historically his company has received one-half of its work from the private sector and one-half of its work from the public sector, 98.5 percent of his current business is public sector work.

To make matters worse, State budget crises are severely limiting States' ability to move fcrward with their own infrastructure programs or find matching funds for Federal transportation programs.

Although the critical investments made by the Recovery Act have stemmed the tide of unemployment in the construction industry, they have not been sufficient to completely counteract the loss of private sector and State investments.

Congress must act now to pass the ''Jobs for Main Street Act, 2010'', and build upon the successes of the Recovery Act.

The Jobs Act ''doubles down'' on the highway and transit investments of the Recovery Act and will immediately create and sustain jobs. The Jobs Act provides almost $36 billion for highway and transit investment and much of it can be, and will be, put to use within 90 days for ready-to-go projects.

According to a December 2009 American Association of State Highway and Transportation Officials, AASHTO, survey of State Departments of Transportation, there are 7,497 ready-to-go highway and bridge projects, totaling $47.3 billion. Furthermore, according to a December 2009 American Public Transportation Association, APTA, survey, there are thousands of ready-to-go transit projects, totaling $15 billion.

In addition, Congress must also act now to extend the core Federal highway, highway safety, and transit programs. The long-term authorization for these programs, SAFETEA–LU, expired on September 30, 2009. Since then, these programs have been extended on a short-term basis at a funding level that is about $12 billion below the fiscal year 2009 authorized level. H.R. 3326, the fiscal year 2010 Defense appropriations bill, will provide an additional short-term extension of these programs, to February 28, 2010, but still at the reduced funding level.

H.R. 2847 includes the Surface Transportation Extension Act (STEA) of 2009, which extends the highway, highway safety, and transit programs through September 30, 2010, at the levels assumed in the FY 2010 budget resolution. This one-year extension will provide greater certainty for States in their transportation planning, and increase funding to nearly the FY 2009 authorized level.

STEA also includes provisions that will stabilize the Highway Trust Fund. Specifically, STEA restores to the Highway Trust Fund interest payments foregone on the Trust Fund's previous cash balances. Since 1998, the Trust Fund has been the only major Federal trust fund that does not accrue interest. The restoration of interest for this period, 1998–2009, results in transferring $14.7 billion to the Highway Account of the Highway Trust Fund, and $4.8 billion to the Mass Transit Account of the Highway Trust Fund.

In addition, STEA allows the Highway Trust Fund to accrue interest on all balances going forward, which will increase Trust Fund receipts by an estimated $500 million to $1 billion annually, in the near-term.

Finally, under STEA, the General Fund, rather than the Highway Trust Fund, will support longstanding fuel tax exemptions, such as those provided to State and local governments. Full refund payments will continue to be made from the General Fund, but the Highway Trust Fund will no longer bear the cost of these refunds. The end user will see no change in their process for obtaining a refund. This provision will increase Trust Fund revenues by about $1.7 billion annually, for a total of $9.8 billion over six years.

I regret that the Other Body was unable to complete action on a multi-year surface transportation bill this year. I urge the Senate to focus on the needs of the millions of Americans who are without jobs or who are in danger of losing their jobs, Americans who are struggling to provide for their families, and desperately need the jobs that would be created not only by the bill before us today, but also by a long- term authorization of surface transportation programs.

I urge my colleagues to join me in supporting H.R. 2847, the ''Jobs for Main Street Act, 2010''.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Georgia, JACK KINGSTON.

Mr. KINGSTON. I thank the gentleman for yielding.

Madam Speaker, I want to say, in January, the President rushed through a massive stimulus bill of $787 billion, which was supposed to be targeted and timely for shovel-ready projects. We had to do this to keep unemployment from going to 8 percent. Well, now it's at 10 percent. Rather than going back into the stimulus program and doing major surgery, we are adding yet another spending bill from a different account.

To begin with, the stimulus bill only had about 27 percent in public works-type projects. Most of it went to plus-up pet political projects of Congress and to create 31 brand new Federal Government programs. Even then, 12 percent of the money is all that has left town. Most of it is still in Washington, D.C.

To give you some examples, there is a Smart Grid program of $4.5 billion. None of the funds have been spent. There is a $2.2 billion alternative fuel program. None of those funds have been spent. There is a $4 billion energy innovative technology loan program. Only $2 million has been spent. There is an $8 billion high-speed rail project of which zero funds have been spent. There is $1 billion for the COPS grants program, and no funds from it have left Washington, D.C.

Before we go spending additional money, wouldn't it make sense to try to figure out what the logjam is?

You can go to the Web site of the stimulus program, and you can see the jobs that were created in the 99th District of the Virgin Islands or in the 42nd District of Connecticut. The only problem is there are no such districts. They are fictitious numbers. You could go to Augusta, Georgia, and look at the housing projects where 317 jobs were created. Only it really wasn't for creating jobs. It was a bonus for existing employees. Again, from the administration's Web site, $937 million was spent on 10,000 projects from which no jobs were created. The stimulus program is not working. We need to revamp it.

Another reason we don't have jobs under this administration is because of the cap-and-trade policy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEWIS of California. I yield an additional 30 seconds to the gentleman from Georgia.

Mr. KINGSTON. The cap-and-trade proposal is a scheme based on some phony numbers, not all of the numbers. Incidentally, I don't recommend Al Gore's book to anybody, but if you have time for reading today, keep that one in mind. It's going to run jobs overseas. We need to take a look at it. Particularly, it needs to be based on real numbers, not on phony numbers.

The health care policy is an 8 percent tax on small businesses with a myriad of new rules and regulations with the possibility of lawsuits. There is the banking bill, which is just going to crunch credit all over America. This is not the right thing to do at the last minute.

Mr. OBEY. Madam Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), chairman of the Education and Labor Committee.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding, and I thank him for all of his work on this legislation.

Madam Speaker, today, Congress has the opportunity to continue the effort to rebuild the American economy. We have made significant progress since January when more than 600,000 people were losing their jobs. Last month, it was 11,000—a dramatic improvement. In fact, in November, a year ago, it was over 700,000 people who were losing their jobs. I don't know what the figure has to be before the Republicans decide they ought to help Americans keep their jobs, to find new jobs, and to get jobs so they can support their families.

The fact is, every day, as to the Recovery Act, which they want to continue to lampoon and the rest of it, more and more economists and more and more fiscal analysts of the markets in this country are telling us that the Recovery Act is the reason that we have moved from a negative GDP to a positive GDP. It is the reason we have saved or created more than 1.6 million jobs. Those aren't our words. Those are the words of the people who are in the private sector who are talking about this market.

What are they warning us about now?

It's not just the traditional jobs. It's a question of—and this comes again from private analysts—whether or not local governments which are somewhere between $200 billion and $300 billion underwater because of the economy, because of the recession and because of their loss of receipts and revenues can create a wave of unemployment that will swamp the good news that is taking place and the news that we hope will get better and that we think will get better. It can overwhelm the positive job numbers that we are starting to see, and it can create that kind of problem.

It also means that, once again, we can see—and what this legislation prevents—is that wave of layoffs in teachers, in firefighters, in police, and in first responders because we know that that's about keeping our communities healthy and safe. It's about making sure that our kids do not become the victims of this economy because of the layoffs, the shorter school days, the larger classes that are taking place, and the shorter school years. The States are going to struggle with this.

We know from the private sector, if you look around at what has taken place in this recession, that the leaders in the private sector decided, in this kind of economy, this is when you want to invest in your future. That is what we are doing. We are investing in the future of our children and of our young people going to college. We are creating additional slots so they can get into community colleges, so that they can get job training, and so that they can have teachers and decent class sizes. That is what this legislation is about.

It's about trying to create job opportunities, and it's about holding onto job opportunities for American families. It's also to make sure that their children do not lose a year of educational opportunity and so that they do not slide back from the progress that we're seeing. All across this country, as the test scores are getting better and as proficiency is getting better among fourth graders and eighth graders, that is the progress that we have made. This recession could wreck it all, and we've seen it all across the country.

Rio Vista, Texas, laid off 15 percent of its teachers. Dearborn, Michigan, just approved 200 teacher layoffs. The LA Unified School District laid off 2,000 teachers and maybe another 1,500 teachers next year.

You can stop that from happening. You can stop that from happening by voting for this legislation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBEY. I yield the gentleman an additional 1 minute.

Mr. GEORGE MILLER of California. This is about our future. This is about a jobs program that is paid for. This is about taking the money that was dedicated to working on Wall Street and making sure that it works for Main Street. This is your opportunity so that you can go home and say that you did everything you could to try to maintain the positive direction that the economy is starting to indicate, but we are not there yet.

Again, if you listen to the analysts, it can be overwhelmed by the loss of jobs and by the wave of unemployment that could take place at State and local governments, and our children's educational opportunities can be overwhelmed.

Mr. OBERSTAR laid out the infrastructure piece that is so important in terms of the investment, not only in jobs, but in terms of the investment in the future of this country in highways and transit. This is about human capital. This is about whether or not we can retain first responders, teachers and whether or not we can retain the growth, economic proficiency, and achievement that our children are getting in school today.

Let's not lose that because, through no fault of their own, the recession whacked their teachers, whacked their classrooms, whacked their school districts, and then all of a sudden, those opportunities were gone. We should not let that happen. We can vote against its happening today. We can vote for a jobs bill that works on Main Street.

□ 1700

Mr. LEWIS of California. Madam Speaker, I am very pleased to recognize the gentleman from New Jersey (Mr. FRELINGHUYSEN) for 2 minutes.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Madam Speaker, there is no question that the American people are hurting. Since the start of this recession in 2007, 6.9 million people have lost their jobs. A third of those without jobs have been unemployed for more than 6 months. That's a post-World War II high.

Clearly Congress needs to find a way to spur private sector job creation, a bipartisan way, not one rammed through without public hearings. Madam Speaker, a famous son of New Jersey once said, and that's Yogi Berra, ''It's déjà vu all over again.''

Congress and the President enacted in February a trillion-dollar stimulus package with the promise that its shovel-ready spending would keep unemployment from exceeding 8 percent. While the Nation's official unemployment is 10 percent, the real unemployment and underemployment now exceed 17 percent.

Yet the majority is suggesting that we double down on spending borrowed dollars in many of the same areas touched by the first stimulus. For example, only 7 percent of the $2 billion in the stimulus bill for the Army Corps of Engineers civil construction has been spent. Yet this bill adds another $750 million.

Only 8 percent of the $1 billion in the stimulus for Bureau of Reclamation water projects has been spent. This legislation includes another $100 million.

The stimulus contained $4 billion for Energy Innovation Loans. Just 10 percent has been spent since February. So let's make sure to approve another $1 billion.

Of the $36 billion the Department of Energy has been given, about $955 million has been spent and only $17.5 billion has been obligated.

If this isn't bad enough, where is the funding coming from? It's coming from the TARP program, Troubled Asset Relief Program. That money, when it is paid back, is supposed to go to reduce the deficit. Here we are spending.

I rise to oppose this bill. This bill needs to be opposed.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Thank you very much, Mr. Chairman. I appreciate you giving me a minute to speak on this.

This is the single most important issue facing the American people, jobs. You talk about troubled assets, what greater troubled assets do we have than jobs and homes? These are the troubled assets that the American people want us to respond to.

Throughout the length and breadth of this country, small towns, country towns, from Michigan, Ohio, throughout wherever it is, people are concerned about jobs. The misery index is high, the depression index is high. Do you know what a job means?

Here we have got $75 billion. What better place to put it than in small businesses, into the heart and the soul of the American economy, at the middle and at the bottom where people will spend it.

Ladies and gentlemen of this Congress, this is Christmastime. Next week is Christmas. What better Christmas gift can we give the American people than this jobs bill that will put our people back to work, that will build our homes, that will help our families, that will give them hope where they need it. They deserve this Christmas present this day.

Mr. LEWIS of California. Madam Speaker, it is my honor to recognize the ranking member of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, the gentleman from Kansas, for 3 minutes, Mr. TIAHRT.

Mr. TIAHRT. I thank the gentleman from California.

Madam Speaker, 10 months ago we stood here and told you the stimulus bill would not help the economy recover. We told you it would not work because the $787 billion plus interest would only grow the size of government. You can't grow the economy from the government down. You have to grow it from the ground up.

By any standard, we were right. Now we have news accounts of how the money was spent, mostly on government workers writing more government regulations. Then there was the news about the pay raises for Head

Start teachers and the buyouts for university professors and unemployment is double digits. It's 10 percent.

Today on the floor we have the ''son of the stimulus'' bill. It's another $154 billion of failed economic policies that will only prolong the economic pain.

This bill includes another $750 million for green jobs on top of the previous bill's $750 million. So far, no green jobs have been created.

The ''son of the stimulus'' adds $23 billion to State and local governments on top of the $53 billion in the stimulus bill.

You can't isolate State and local governments from the recession. If you do, they will do nothing to help with the recovery. History tells us what works. When we have the opportunity in America, new ideas come into the marketplace and the economy will grow. When the economy grows, the Federal revenue grows without raising taxes.

Here is how you create opportunity: stop spending, stop borrowing. You can't grow the economy from the government down. Freeze regulations, audit every one of them and only keep the ones where the benefit exceeds the cost.

Keep taxes low. When you do, people save. They invest; they spend. All of that's good for the economy. Lower health care costs, not by taking over with the government, but by addressing defensive medicine, by addressing tort reform and by incorporating free market principles and then become energy independent. That alone would solve your unemployment problem.

Now, it's true that providing the opportunity for the economy to grow does not pay back the government unions for all they have done for you in the last election. Government unions should be pleased with this bill, but the American taxpayers should not. They should be angry.

For those that are unemployed workers, well, we are sorry, because this bill will not do anything for the unemployment rate. It's a failed economic policy that only pays back those who invested in the last election for the majority party.

Madam Speaker, I would ask my colleagues to vote ''no'' on this legislation and, instead, do something that will help the economy recover by providing opportunity for the unemployed workers.

Mr. OBEY. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, when President Bush left office, we were losing over 700,000 jobs a month. We passed the economic recovery package, and we have gotten that down to about 11,000 jobs a month. That's not enough, but it's terrific progress.

I am somewhat bemused, however, by all of the comments by our friends on the minority side of the aisle denouncing the recovery package and saying that it didn't work. Not a single one of them voted for it on this House floor.

But if you check newspaper accounts around the country, you will see, for instance, that the minority leader, in a June 15 press statement, said that he was pleased that Federal officials stepped in and ordered Ohio to use all of its construction dollars for shovel-ready projects that will create much-needed jobs.

The minority whip vowed to shed partisan politics to help the economy. He met with transportation officials about how his home State of Virginia could apply for stimulus grants to build a rail line.

The minority chief deputy whip, in his own press release, outright praised the courthouse in his district receiving funds from the recovery package to build a new courthouse. He said, ''I applaud this funding for the Bakersfield Federal courthouse.''

My Republican colleague from New Jersey (Mr. LANCE) announced by a press release that his district received $13 million from the Recovery Act for local flood control projects. ''This is outstanding news,'' he said. He even sent a letter to President Obama asking for speedy release of those recovery funds.

Another of our colleagues from Michigan on that side of the aisle issued a press release saying he was pleased to announce that his international airport would receive $12.7 million from funds received by the Recovery Act.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBEY. I yield myself 1 additional minute.

Another of our colleagues on the minority side from Illinois said, ''There is no question these grants will be of assistance in creating jobs.''

I can go on and on and on citing Member after Member who denounced the bill on the House floor and then went home to their districts and issued grandiose press releases expressing their support for the results of the recovery package.

I have a little difficulty following that ping pong ball when it's bouncing on both sides of the table. I have a little difficulty following the folks on that side of the aisle when they decide to fall off both sides of the same horse. I wish you would make up your mind: which do we believe, your statements that you make at home or the statements and the votes you cast on this House floor?

Mr. LEWIS of California. I yield 2 minutes to the gentlewoman from Missouri, who is the ranking member on the Financial Services and General Government Subcommittee, Mrs. EMERSON.

Mrs. EMERSON. Madam Speaker, I want to say a couple of things first. Number one, I don't know if the American people realize that since 2007 this Congress has increased spending on nondefense, nonveterans discretionary spending and, including the stimulus in that, by 85 percent, 85 percent. In so doing, we still have 30 percent unemployment in the construction trades in the State of Missouri, and there is no excuse for that. This bill does very little to help that, very, very little.

As a matter of fact, some of the stimulus money that went to create new jobs in my congressional district—actually, our job training people were told that anybody who is in job training counted as a new job. Now that's disingenuous at best, and it's not fair to a person who is being counted as having a job and one is not there waiting for them when they graduate.

I really want to talk today about my concerns about the use of TARP funds to offset additional government spending. You know, when we debated this legislation, we were told the funds were going to be repaid and that in the long term the Federal Government could make money on the TARP program.

However, today we are debating whether to use TARP funds, which the administration really had no plans to spend, as an offset for yet more government spending. This is a gimmick extraordinaire.

We just debated a bill to increase the debt limit to $12.4 trillion. Using this budget gimmick as an offset for $75 billion in new spending is not going to reduce the debt one bit. Every economist in America says if we don't reduce the debt in this country, then our economy will go away.

It is going to ensure, this bill does, that our government debt is going to continue to grow, increasing our dependence on China, on other foreign investors and increasing the financial burden on our children and grandchildren.

Mr. OBEY. Could I inquire how much time is left on both sides.

The SPEAKER pro tempore. The gentleman from Wisconsin has 17½ minutes remaining, and the gentleman from California has 14 minutes remaining.

Mr. OBEY. I yield 3 minutes to the distinguished chairman of the Ways and Means Committee (Mr. RANGEL).

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Chairman OBEY, let me thank you for not just saying what are we going to do about the jobs, but bringing this all together and doing something about it. One of our great Presidents, Jack Kennedy, once said that sometimes your party just asks too much of you.

I know that's what my Republican friends must feel today, because there is no question in my mind that they have just as much compassion in their heart for those jobless people as we do. They know, as we do, that those who have lost their homes, lost their dignity, lost their job, didn't do it by being Democrats or being Republicans.

I recognize that when you go in a room and make a decision to say ''no,'' you are kind of stuck with it, so we are not naive enough to believe that I can change your mind about what you already decided, but I do hope that when

you go back to your home districts, and you recognize what is happening to people who are jobless, many of whom are hopeless, many have lost their skills and many who hope soon it will not continue, have lost what it's like to believe that in this great country there is no limit to how far that you could go.

□ 1715

So maybe next year would be different. Maybe the guys in the street will be following you around, as we find people grabbing Members of the Congress, saying, Hey, my dad needs a job, Congressman, Congresswoman, can you help?

We're trying to help. It was a big crisis and a lot of blame to go around. But collectively someone thought that TARP would work. Well, it had some successes. One thing is certain: We're not going back there. This time it's not the banks. It's not Wall Street in my area. It's now going to be Main Street, so that once again you have an opportunity to explain what are you doing in the Congress.

Well, I know it didn't go over big to say that you were bailing out banks. It certainly didn't go over in my district. How about we're trying to bail out our people. We're trying to restore the hope and confidence they had. We're trying to keep kids in school. We're trying to put food on their table. Sure, we talk about food stamps and food pantry, but we're trying to restore that dignity that make Americans so much different from other people.

In the Ways and Means Committee, where we have jurisdiction over COBRA, this is another step to have dignity. You lose your job, you lose your health care. What a terrible thing to be looking for work and you're sick and you can't even go to the doctor. Worse still, if there are sick people in your family and you don't have the insurance. Well, the Federal Government comes in not with handouts but saying can we give you a hand with your responsibility to provide health care? And that's what we've done on our committee.

We've taken unemployment benefits. You know, you can get enough checks for the length of time——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBEY. I yield the gentleman an additional 1 minute.

Mr. RANGEL. Thank you, Mr. Chairman.

In any event, we got aid out there for school construction. It's not just to make certain that we have a place for our kids to learn to become the leaders of tomorrow but also that people can get bricks and mortar and rebuild those schools and renovate those schools, and that's what we're doing.

We've been able to make certain that at least the Ways and Means Committee can join in with the other committees, under the leadership of our great Speaker and DAVE OBEY, to be able to say this is not all that we want to do; this is all that we can do.

Maybe over the holidays you might be able to get back to your leadership and say, We've been faithful. But we've found out that many in our districts have lost jobs, lost their home, lost their health insurance, and really lost hope. Just saying ''no'' is not going to work.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CAMP), ranking member of the Ways and Means Committee.

Mr. CAMP. I thank the gentleman for yielding.

Albert Einstein once said, ''The definition of insanity is doing the same thing over and over again and expecting different results.''

Yet even though their stimulus bill hasn't created a single job and has resulted in 10 percent unemployment, House Democrats have brought to the floor today a stimulus II bill that explicitly amends, continues, or expands numerous provisions of their failed stimulus I bill.

And here's a graphic depiction of this insanity.

How does spending more on the Bureau of Reclamation create jobs now when it didn't before? How does transit capital assistance create jobs now when it didn't before? And how do more loan guarantees create jobs now when they didn't before?

This is a ''son of stimulus'' bill. Let's stop the insanity. Vote ''no.''

Mr. OBEY. Madam Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK), the chairman of the banking committee.

Mr. FRANK of Massachusetts. Madam Speaker, the assertion that the economic recovery bill, the stimulus bill, has created no jobs is, I must say, one of the least intellectually supportable statements I have heard on this House floor, and I've been here a long time. There's an argument about how much and how little, but no competent economist denies that it helped create jobs.

Here's where we are: The fact is that the Obama recovery from the Bush recession has been going more slowly than many of us would like, but it is undeniable by every statistic it is going forward.

Now, if you listen to my Republican colleagues, you learn that the third worst day in American history was January 21, 2009. The worst day, of course, was Pearl Harbor, and then we had the terrible mass murders of 2001. But to pick a day when there were no mass deaths, what was the worst day? January 21, 2009, because according to this debate, guess what happened on January 21, 2009? The Federal budget, which was apparently in surplus, all of a sudden punched into deficit. Unemployment suddenly appeared. The war in Afghanistan, by the way, was going wonderfully until January 21, 2009. There were no bailouts until January 21, 2009. Some of you may have thought they happened in September of last year, but, no, apparently it all started on January 21, 2009.

And not only that—and I have to say I'm quoting my partner, Jim, here—it was one of the worst outbreaks of disease in American history. Mass amnesia seized the Republican Party on January 21, 2009. They forgot that the Bush recession started under President Bush in 2007, after they had controlled both the House and the Senate and the Presidency for the longest time. They forgot that the deficit had mushroomed under them. They forgot that trying to pay for two wars with five tax cuts was kind of a bad idea, and at least you shouldn't be surprised it resulted in a deficit.

So what we are now doing is trying to undo that. And adults understand that you cannot go from a terrible decline to rapid increase without passing through a transitional period. We are passing through it by every economic statistic.

Now, I agree the situation was worse than we thought, and it is getting better more slowly than we had hoped, but it is clearly getting better. And, again, if you listen to my Republican colleagues, the world began on January 21, 2009. I know some of them thought it started 4,000 years ago, and they didn't believe in evolution. I didn't think they thought it all started when Barack Obama became President.

We do try here to help. I was astounded to hear the gentleman from Michigan say it hasn't created one job. Madam Speaker, tell that to the cops and firefighters in my district who were rehired because of this. Tell that to the people now working to clean up a Superfund site in my district which was funded by this bill. This denial of reality to evade responsibility for the dilemma we are in is breathtaking.

So I want to congratulate the gentleman from Wisconsin, who has been the most consistent advocate of social fairness and economic effectiveness that we've had, for a wonderful bill.

Mr. LEWIS of California. Madam Speaker, it's my privilege to yield 2 minutes to the gentleman from Texas (Mr. HENSARLING), Chairman FRANK's great friend from the committee.

Mr. HENSARLING. I thank the gentleman for yielding.

You know, repeating failure over and over might be amusing if it wasn't for the fact that so many of our countrymen are suffering.

I heard the distinguished chairman of the Financial Services Committee share with us his history lesson, but also I might add if we look at press reports, clearly Democrats have had trouble counting jobs in America.

What we do know is that the Department of Labor says that we still have double-digit unemployment under this President and this Democratic Congress. What we know is that the Department of Labor says that since the first stimulus bill was passed, to add an

extra trillion dollars of spending and debt for future generations to pick up, that 3.6 million of our fellow countrymen have lost their jobs.

The history lesson that I hope my friends on the other side of the aisle would learn is that you cannot spend your way into more jobs. You cannot borrow your way into more jobs. And you cannot bail out your way into more jobs. And, Madam Speaker, the legislation they bring before us does exactly that. It's more of the same. It is ''son of stimulus.''

Spend another $150 billion of taxpayer money. How many more jobs have to be lost? It wasn't an hour ago that this body just voted for $290 billion more of debt ceiling, borrowing the money from the Chinese, sending the bill to our children and grandchildren. How many more jobs have to be lost? Bailout funds, bailout funds for the States, bailout funds for the municipalities. How many more bailouts, how many more jobs have to be lost?

In this economy, small business, they want to create the jobs, but take away your trillion-dollar takeover of health care, take away your $600 billion national energy tax, take away your perpetual Wall Street bailout bill, and jobs will come back to America.

Those are the policies that we need, Madam Speaker.

Mr. OBEY. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, I rise in support of this jobs bill.

We have seen 23 straight months of job losses. What does this mean? It means that families are under a huge stress. It means there are hungry children in the United States of America. It means a lost generation of American workers.

We owe a response to those families contending with joblessness and the financial havoc it wreaks on their lives. It is not only the moral thing to do; it is our obligation as legislators and as citizens.

I urge my colleagues to support this bill. It redirects $75 billion of TARP funds, money that was spent on Wall Street, and it moves it toward key infrastructure investments, which will provide jobs now. It provides a foundation for long-term prosperity. It helps to stabilize our public sector workforce. It supports teachers, police officers, firefighters, and other public servants. And as important, it cuts taxes for 16 million struggling families by making the child tax credit available to working families with children.

They lost their jobs. They lost their health benefits. Their work hours were cut short. And, yes, their child tax credit was decreased. Refundable tax credits are the most fiscally stimulative policies that we can put into place. Don't listen to me. Listen to economists. And it puts money into the hands of families who are living today paycheck to paycheck, and their spending in turn leads to a strong boost in job creation. Let's put that TARP money to work where it always belonged, in the hands of the American people.

I urge my colleagues to support this bill. We need to get America back to work.

Mr. LEWIS of California. Madam Speaker, it's my privilege to yield 2 minutes to the gentleman from Virginia (Mr. CANTOR), the Republican whip.

Mr. CANTOR. I thank the gentleman from California.

Madam Speaker, Winston Churchill once said that, ''All men make mistakes, but only wise men learn from their mistakes.''

Today it is apparent that Congress has not learned anything. The bill on the floor today is just another round of spending that doubles down the failure of last February's so-called stimulus plan while ballooning the deficit.

The first stimulus plan and bill failed to hold down unemployment, but it successfully increased our reliance on borrowed money. Worse, a lot of the money designated for infrastructure, those shovel-ready projects we all heard about, hasn't even gotten out of Washington yet. Why is it still here if it was designed to create jobs?

Sadly, pouring billions into the very same programs will meet a similar dismal fate. Just as bad, this legislation continues to fall hopelessly short of providing real relief to small businesses so they can resume hiring, investing, and expanding.

Now is not the time to spend an additional $150 billion we don't have. It's time to come together to ease the burden on small businesses and to start giving them a sense of certainty so they can go about the business of creating jobs and prosperity.

Madam Speaker, I urge a ''no'' vote on this so-called ''jobs'' bill.

□ 1730

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Only the lack of clarity and poor eyesight can call this the so-called jobs bill, because if we've looked over the last year, the American Recovery and Reinvestment Act helped save 3.5 million jobs. They named Chairman Bernanke as the person of the year, but his twin was the work that was done on this floor by the Democratic leadership to invest in America. My district has a 9 percent unemployment. In Saturday's Washington Post, three parents were seen with lights out and children who are hungry. Oh, yes, this sounds like spend, spend, spend, but I tell you, if we can invest a billion dollars in infrastructure, we create 27,800 jobs, and I'm proud to invest 35 billion of those dollars in fixing the highways and the roads of America.

I am glad 150,000 Americans will now be able to get training in high professional jobs, and I am glad that we are working on a metro system that will create jobs in our district.

Vote for this bill. It's jobs, jobs, jobs. Get good glasses and you'll see that.

Mr. LEWIS of California. Madam Speaker, by way of inquiry of my chairman, aside, Mr. Chairman, from the unprecedented and secretive process by which this bill was put together and is being brought to the floor, the rule before us contained a most unusual provision to allow the chairman to submit a report explaining the legislation. It would be very helpful to all Members before we vote on over $154 billion in spending to actually have the benefit of the chairman's explanation.

I, for one, have not only not seen this report, I didn't even know he was writing one. Therefore, I would ask the chairman, is there a copy of this report, and will you make it available now so that Members will have a chance to see it before we vote on this bill?

Mr. OBEY. Well, I find it very interesting that the gentleman has not raised this point with respect to the Defense appropriations bill. But let me simply say that the explanatory statement for this bill is very short. It is on our Web site. It was posted there this morning.

Mr. LEWIS of California. The chairman certainly might have given us the courtesy of communicating that that was his intention ahead of time. And it's very clearly stated within the report that the Members would have it available to them. Obviously, the chairman has chosen to ignore that side of the responsibility.

With that, I reserve the balance of my time.

Mr. OBEY. Might I inquire how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Wisconsin controls 7½ minutes, and the gentleman from California controls 8 minutes.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Madam Speaker, I rise in support of this legislation. The Republican minority has been fairly consistent. When we focused on health care, they said, well, 85 percent of the people in the country have health care, so let's not turn things upside down, let's not sacrifice too much to try to deal with the tens of millions who don't have it; 85 percent have it.

On the jobs front, 90 percent of the people in the country have jobs. So I can see their lack of empathy for the 10 percent who don't, and they don't see a need for us to act. But as we come to this holiday season, as we look and see many of our citizens who not only have not a job at this moment, mainly because of policies enacted, this unwarranted war in Iraq and fiscal policies that have had us a double-digit national debt in the trillions before

Barack Obama was sworn into office, but they don't really see a need for us to do a great deal of effort here to try to put Americans back to work.

I want to thank the chairman for authoring this legislation which is bifurcated, both focused on jobs and also in helping people in a difficult moment. That's what I think America ought to be about. I rise in support of this legislation.

Mr. OBEY. Could I inquire of the gentleman how many speakers he has remaining.

Mr. LEWIS of California. We have no speakers remaining. I might make a few remarks after I hear what the chairman has to say.

Mr. OBEY. Well, I am the last speaker, and since I have the right to close, I would suggest you use your time and then we'll use ours.

Mr. LEWIS of California. Can you give me an idea how much of your time you intend to take?

Mr. OBEY. The remainder of the time.

Mr. LEWIS of California. Ten minutes?

Mr. OBEY. No, we don't have 10 minutes.

The SPEAKER pro tempore. The gentleman from Wisconsin controls 6½ remaining minutes, and the gentleman from California 8 minutes.

Mr. LEWIS of California. I think it would be very important for the Members to know, Madam Speaker, that up to this point, only about 15 percent of the first piece of this package has been spent, so Stimulus I is a long ways away from being spent. And I think we all know that the agencies are awash in money coming through the pipeline, and they wonder where it's going to go from here. It's significant to know that as we spend the people's money in this process, with very, very little information available to our Members, the majority is choosing to push another $150 billion down that pipeline, regardless of what has been spent already.

It seems to me that one of the lessons to be learned here is that the American people are much smarter than we give them credit for. They know that just throwing money at every perceived problem out there is no way to solve such a problem. In the meantime, I will listen with interest to my chairman's closing remarks.

I yield back the balance of my time.

Mr. OBEY. Madam Speaker, we have heard three times at least now our friends on the minority side indicate that only 12 percent of the original stimulus funding has, quote, left the Treasury. That's a very slippery way to put it, because the fact is that what ''left the Treasury'' means is that after funds are obligated to those who will actually spend it, and after the bills have been paid by those recipients, then the money has, indeed, left the Treasury. The real term to focus on is what has been obligated. And the fact is that for the programs in this bill, 70 percent of the funds previously appropriated to those programs have already been obligated. So much for that argument.

Example: The minority press release states, ''No funds out of the $1 billion provided for COPS has left the Treasury.'' The fact is, all of that funding has been awarded.

The minority press release states, ''Only $235 million out of the $6.4 billion for EPA wastewater grants has left the Treasury.'' The fact is, 99 percent of that funding has already been provided to the States. So much for that straw man.

Let me, Madam Speaker, simply make this observation: we have before us a bill that determines to redirect $75 billion, which had initially been directed to help Wall Street, and we want to, instead, redirect that money to help Main Street. So we provide $27 billion, for instance, for highway infrastructure projects to put people back in construction. You're either for it or you're against it.

We have provided enough funding in this legislation to assist more than 670 communities address their growing backlog of water and sewer repairs and put people to work in the process. You're either for it or against it.

We've provided $27 billion from Wall Street to Main Street to try to stabilize public service jobs. We're trying to preserve 250,000 teaching jobs over the next 2 years, for instance. You're either for doing that or you're against it.

We're trying to use $500 million to preserve the jobs of thousands of firefighters all across the country. You are either going to help or you're not.

We are trying to provide 250,000 disadvantaged youth with summer employment opportunities. You're either going to help them or you're not.

We're trying to provide 250,000 students with additional college work study funds so they can stay in school. You're either going to help those students or you're not.

We're trying to provide funding for approximately 150,000 individuals in high-growth and emerging industry sectors where we know there are job growth possibilities. You're either going to help support that or not.

We are trying to provide unemployment insurance for 6 months rather than the 2-month extension that was in the previous bill today. You're either going to help those people or not.

We are trying to provide $23 billion to extend the higher Federal match for payments to doctors, or we're not.

So, basically, it's about time to decide where you're coming from. An article in the New York Times today described what happens when you lose your job. It pointed out that more than half of the Nation's unemployed workers have had to borrow money from friends or relatives since losing their jobs. They've had to cut back on doctor visits. That same article indicates that a quarter of those polled had said they'd lost their home or been threatened with foreclosure. They also noted that half of the adults surveyed admitted to feeling embarrassed or ashamed as a result of being out of work. And nearly half of the respondents said they no longer had health insurance. The question is, are you going to help those people or not?

We can argue what our economic philosophy is until the cows come home, as they say in my area, but it seems to me that the question simply is, We've got a problem; what are you going to do about it?

JOBS FOR MAIN STREET ACT, 2010

EXPLANATORY STATEMENT

THE JOBS CRISIS

A jobs bill is urgently needed because of the worst job situation since the Great Depression of the 1930s. The vast majority of fair-minded economists have concluded that the Recovery Act has had a positive effect on the job situation and they also agree that sizeable and targeted deficit spending makes sense at this time of unusually high unemployment, low inflation, and low interest rates, but not after the economy recovers.

The current recession has been especially severe in the labor market:

The unemployment rate has reached 10 percent. Almost every age and education group is experiencing higher unemployment than at any time since the 1930s.

This dismal unemployment situation is not expected to improve any time soon. The Blue Chip consensus of economic forecasters expects the unemployment rate to get worse early next year and still be 9.9 percent at the end of 2010.

The number of people unemployed has more than doubled in the last two years, from 7.2 million to 15.4 million, an increase of 8.2 million. 10.6 million more people would have a job today if employment growth had simply kept up with population growth over the last two years.

The crisis in the job-market goes beyond the increase in unemployment. The number of people working part time but seeking full-time work has doubled in two years, from 4.5 million to 9.2 million. The number of people who want a job but are too discouraged to look for work has risen by 1.4 million or 30 percent in two years.

The total number of people who are either unemployed or working part-time for economic reasons or have dropped out of the labor force but want a job has risen by 14.2 million in just two years.

Other indicators make the case for a jobs bill:

For the first time since the 1930s, manufacturing is using less than two-thirds of its capacity. So much unused capacity means that production can be very responsive to new demand without increases in prices.

With its Federal funds rate at virtually zero, the Federal Reserve's capacity to stimulate the economy is limited.

The rates on Federal government borrowing remain unusually low.

The evidence is overwhelming that the Recovery Act has made the job situation substantially better than it would have been without the Recovery Act:

The Congressional Budget Office recently estimated that, as of September, the Recovery Act had already raised employment by 600,000 to 1.6 million. All major private forecasters have made similar estimates.

The rate of job loss has declined from 700,000 a month for the three months before the Recovery Act to just 11,000 job losses last month.

A recent Wall Street Journal survey of economic forecasters found that a clear majority supported additional jobs measures, a

position that they would not have taken unless they believed the first round had worked.

Continued high unemployment takes a toll on those unemployed and their families who experience the frustration of not finding work. Local communities also suffer a loss of tax base which forces cutbacks on education and other services vital to everyone in the community.

It makes sense for the Federal government to invest more in expanding training opportunities at times of high unemployment. State and local governments face pressures to cut back on all spending, including education. On the other hand, the lack of work opportunities gives many people more time to devote to education and upgrading job skills.

Faster reduction of unemployment is in the long-term interest of the Nation's economy. When people have jobs, they have money to spend that has a multiplier effect on the economy generally. In addition, prolonged unemployment causes workers' skills to erode which reduces the Nation's productive capacity.

TITLE I—INFRASTRUCTURE AND JOBS INVESTMENT

CHAPTER 1—DEPARTMENT OF JUSTICE

COMMUNITY ORIENTED POLICING SERVICES

(INCLUDING TRANSFERS OF FUNDS)

The bill provides $1,179,000,000 for Community Oriented Policing Services grants for the hiring and rehiring of an estimated 5,500 law enforcement officers.

CHAPTER 2—ENERGY AND WATER DEVELOPMENT

CORPS OF ENGINEERS—CIVIL WORKS

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION

(INCLUDING TRANSFERS OF FUNDS)

The bill provides an additional $715,000,000 for Construction to support an estimated 7,800 jobs. This funding will support the construction of water resource projects in areas where they can quickly create jobs. Unemployment in the construction industry in November was 19.4 percent, up from just 6.2 percent two years ago. The projects will also provide long-term economic benefits through lasting infrastructure improvements. The Corps is directed to consider the following criteria when allocating funds: programs, projects or activities that can be commenced quickly; programs, projects or activities that will create high and immediate employment; programs, projects or activities that will be executed by contract or direct hire of temporary labor; and programs, projects or activities that are located in a state with high unemployment.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

The bill provides an additional $100,000,000 to support an estimated 1,000 jobs for the programs of the Bureau of Reclamation. This funding will support the construction of water supply projects in areas where they can quickly create jobs in the construction industry. Unemployment in that sector was 19.4 percent in November, up from just 6.2 percent two years ago. The Bureau is directed to consider the following criteria when allocating funds: programs, projects or activities that can be commenced quickly; programs, projects or activities that will create high and immediate employment; programs, projects or activities that will be executed by contract or direct hire of temporary labor; and programs, projects or activities that are located in a state with high unemployment. Additionally, funds are provided to respond to drought in western and southwestern United States by expediting projects and activities that supplement existing water supplies such as through the title XVI program, meeting fish and wildlife needs, adding flexibility to water delivery systems, or addressing other factors to reduce conflict over limited water supplies.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

The bill provides an additional $2,000,000,000 for the cost of guaranteed loans authorized by section 1705 of the Energy Policy Act of 2005. This funding should support an estimated 22,000 jobs in the renewable energy sector, providing a boost to the construction industry as well as contribute to the Nation's goals for energy independence. Most renewable energy funds are spent on materials and workmanship to build and maintain the facilities, rather than on costly energy imports. Further, as we build manufacturing capability in the United States, renewable energy technologies developed and built here can be sold overseas, providing a boost to the U.S. trade deficit.

INCENTIVES FOR INNOVATIVE TECHNOLOGIES LOAN GUARANTEE PROGRAMS

Section 1201 includes a provision modifying the Energy Policy Act of 2005 authorization for the Department of Energy's Innovative Loan Guarantee Program.

CHAPTER 3—HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

FIREFIGHTER ASSISTANCE GRANTS

This bill provides $500,000,000 to retain, rehire, and hire an estimated 2,500 firefighters across the United States and directs the Department of Homeland Security to make these awards within 120 days. The Secretary may transfer any unused funds to firefighter assistance equipment grants subject to notification.

CHAPTER 4—INTERIOR AND THE ENVIRONMENT

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

The bill provides $20,000,000 as an additional amount for ''Management of Lands and Resources'' to support an estimated 1,000 term jobs. These funds should be used to increase term employment for activities on all Bureau of Land Management lands including maintenance, resource management, invasive species management, and inventory and monitoring.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The bill provides $30,000,000 as an additional amount for ''Resource Management'' to support an estimated 1,500 term jobs. These funds should be used to increase term employment for activities funded under this heading, including activities on all national wildlife refuges and national fish hatcheries such as maintenance, invasive species management, inventory and monitoring, and for high priority habitat restoration projects.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The bill provides $50,000,000 as an additional amount for ''Operation of the National Park System'' to support an estimated 2,700 term jobs. These funds should be used to increase term employment for activities on all national park units such as maintenance, interpretive, and resource management activities including invasive species management, inventory and monitoring, restoration of historical resources, and work with the National Register of Historic Places.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

The bill provides $20,000,000 as an additional amount for ''Wildland Fire Management'' to support an estimated 1,000 term jobs. These funds should be used to increase term employment for activities on all Interior Department lands, particularly for hazardous fuels reduction and related activities including necessary inventory and monitoring.

ENVIRONMENTAL PROTECTION AGENCY

STATE AND TRIBAL ASSISTANCE GRANTS

(INCLUDING TRANSFERS OF FUNDS)

The bill provides $2,000,000,000 for water and wastewater infrastructure improvements, of which $1,000,000,000 is for the Clean Water State Revolving Fund and $1,000,000,000 is for the Safe Drinking Water State Revolving Fund. This funding will support approximately 44,000 jobs and will assist more than 670 communities and cities construct vitally needed projects to address the ever growing backlog of sewer and water repairs and rehabilitation. The bill provides that half of the funds include additional subsidies such as principal forgiveness and grants, making it easier for more communities to have access to this program.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

The bill provides $75,000,000 as an additional amount for ''State and Private Forestry'' to support an estimated 3,800 term jobs. These funds are for financial assistance to States and other authorized cooperators, to increase term employment for activities, including reducing wildfire hazards, forest health management, restoring and rehabilitating forests damaged by pests or invasive species, enhancing urban and community ecosystems, and providing cooperation and technical assistance. The Forest Service should not require cost share for the use of these urgently needed funds.

NATIONAL FOREST SYSTEM

The bill provides $40,000,000 as an additional amount for ''National Forest System'' to support an estimated 2,000 term jobs. These funds should be used to increase term employment, including management, protection, improvement and utilization activities on the National Forest System, and including maintenance, resource management, visitor services enhancement, forest health, habitat and watershed enhancement, invasive species management, and necessary inventory and monitoring.

WILDLAND FIRE MANAGEMENT

The bill provides $35,000,000 as an additional amount for ''Wildland Fire Management'' to support an estimated 1,800 term jobs. These funds should be used to increase term employment for Forest Service authorized activities, including hazardous fuels reduction and related activities, such as necessary inventory and monitoring.

GENERAL PROVISIONS—THIS CHAPTER

Section 1401 allows funds for management and oversight provided to the Environmental Protection Agency in this Act to be available until September 30, 2012, and the funds may be transferred to the ''Environmental

Programs and Management'' account as needed.

Section 1402 requires the Secretaries of the Interior and Agriculture to utilize, to the maximum extent practicable, the Public Lands Corps, Youth Conservation Corps, Student Conservation Association, Job Corps, Corps Network members and other related partnerships with Federal, State, local, tribal or non-profit groups that serve young adults, underserved and minority populations, veterans and special needs individuals.

CHAPTER 5—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The bill includes $500,000,000 for a summer employment program for youths. According to the Bureau of Labor Statistics (BLS), the unemployment rate for teenagers (age 16–19) reached 26.7 percent in November 2009—the highest level recorded since BLS began collecting data. These funds will support summer youth employment for approximately 250,000 disadvantaged youths.

HIGH GROWTH JOBS

The bill includes $750,000,000 for competitive grants to support job training for approximately 150,000 individuals in high growth and emerging industry sectors, particularly in the health care and green industries that are adding jobs despite difficult economic conditions. Grants for job training in green industries will focus on programs that train workers living in areas of high poverty.

DEPARTMENT OF EDUCATION

EDUCATION JOBS FUND

The bill includes $23,000,000,000 for an Education Jobs Fund to help States cope with the most dramatic decline in State tax receipts on record—due to the worst recession in 30 years. These funds will help States to save or create an estimated 250,000 jobs over the next two years. Of the total appropriation, 95 percent of the funds will be allocated by States to school districts and public institutions of higher education to retain or create jobs providing early childhood education, elementary, secondary, or postsecondary education services or for modernization, renovation, and repair of facilities. The remaining 5 percent of funds is reserved for State education-related jobs and administration of the Education Jobs Fund.

STUDENT FINANCIAL ASSISTANCE

The bill includes $300,000,000 to support the College Work Study program, which supports low- and moderate-income undergraduate and graduate students who work while attending college. Together with institutional matching funds, this appropriation will support work-study jobs for approximately 250,000 financially needy students.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The bill provides $200,000,000 for AmeriCorps programs and the National Service Trust, which will support an additional 25,000 AmeriCorps Members. This funding will enable these individuals to serve their communities while earning an education award to further their education or pay off student loans. AmeriCorps members conduct vital services for nonprofits and communities including financial counseling, disaster response, housing support, and after school programs. The Corporation has seen an unprecedented level of interest from States, localities, and nonprofit organizations in its programs. Between November 2008 and April 2009, AmeriCorps received 76,404 online applications, up 230 percent compared to the same period in the year before.

GENERAL PROVISIONS—THIS CHAPTER

ISSUER ALLOWED REFUNDABLE CREDIT FOR QUALIFIED ZONE ACADEMY BONDS (QZABS) AND QUALIFIED SCHOOL CONSTRUCTION BONDS (QSCBS)

Section 1501 includes several provisions pertaining to QSCBs and QZABs, which finance public school construction, rehabilitation, and repair. Because the market for tax credits on QSCBs and QZABs currently is small given economic conditions, the bill would allow a State, local government, or tribal government issuing QSCBs or QZABs to elect to receive a direct payment from the Federal government equal to the amount of the tax credit that would have otherwise been payable on these bonds. The bill also includes a technical correction that clarifies that large local school districts are allowed to carry their 2009 and 2010 allocations of QSCBs into future years if they are not issued.

CHAPTER 6—TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

The bill provides $500,000,000 for the Federal Aviation Administration to provide discretionary airport grants to repair and improve critical infrastructure at our Nation's airports. Projects funded under this Act, as well as under the American Recovery and Reinvestment Act, use the criteria established for grants under the AIP program and provide long-term economic, safety and capacity benefits to the Nation's airport system. This funding will support an estimated 5,000 jobs.

FEDERAL HIGHWAY ADMINISTRATION

HIGHWAY INFRASTRUCTURE INVESTMENT

The bill provides $27,500,000,000 for additional highway infrastructure investment to support an estimated 299,000 jobs. Funds are distributed by formula, with a portion of the funds within each State being suballocated by population areas. Set asides are also provided for: management and oversight; Indian reservation roads; park roads and parkways; forest highways; refuge roads; ferry boats; on-the-job training programs focused on minorities, women, and the socially and economically disadvantaged; a bonding assistance program for minority and disadvantaged businesses; Puerto Rico and the territories; and environmentally friendly transportation enhancements.

FEDERAL RAILROAD ADMINISTRATION

CAPITAL GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

The bill provides $800,000,000 for capital grants to the National Railroad Passenger Corporation (Amtrak) for fleet modernization, including the rehabilitation of existing and acquisition of new passenger equipment, including fuel efficient locomotives. The Secretary of Transportation is directed to give priority to domestically manufactured equipment, including components and subcomponents used for rehabilitation. In addition, new acquisitions should be part of a larger strategy to work with domestic manufacturers to create a standardized next generation corridor equipment fleet. This funding supports an estimated 9,000 jobs.

FEDERAL TRANSIT ADMINISTRATION

TRANSIT CAPITAL ASSISTANCE

The bill provides $6,150,000,000 for urban and rural formula grants to support an estimated 67,000 jobs. Within the total amount, 80 percent of the funds shall be provided through the Federal Transit Administration's (FTA) urbanized formula; 10 percent shall be provided through FTA's rural formula; and 10 percent shall be provided through FTA's growing states and high density formula. In addition, the bill provides 2.5 percent of the rural funds for tribal transit needs and includes $100,000,000 for discretionary grants to public transit agencies for capital investments that will assist in reducing the energy consumption or greenhouse gas emissions of their public transit agencies.

FIXED GUIDEWAY INFRASTRUCTURE INVESTMENT

The bill provides $1,750,000,000, to support an estimated 19,000 jobs, to be distributed through an existing authorized formula for capital projects to modernize or improve existing fixed guideway systems, including purchase and rehabilitation of rolling stock, track, equipment and facilities.

CAPITAL INVESTMENT GRANTS

The bill provides $500,000,000, to support an estimated 5,000 jobs, to be distributed on a discretionary basis for New Starts and Small Starts projects that are already in construction or are nearly ready to begin construction.

MARITIME ADMINISTRATION

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The bill provides $100,000,000 for the Maritime Guaranteed Loan (Title XI) program to allow vessels and shipyards to obtain long-term financing for growth and modernization projects.

GENERAL PROVISION—DEPARTMENT OF TRANSPORTATION

MAINTENANCE OF EFFORT

Section 1601 ensures continued State investment in certain identified programs for which the State receives funding in this Act and requires grant recipients to report regularly on the use of those funds.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

PUBLIC HOUSING CAPITAL FUND

The bill provides $1,000,000,000 for the Public Housing Capital Fund for additional repairs and rehabilitation of public housing, including increasing the energy efficiency of units and making critical safety repairs. The Secretary is directed to award these funds competitively to public housing agencies that submitted applications in the competition for funds conducted in fiscal year 2009. In that competition, HUD received applications totaling approximately $3,700,000,000 for Capital Fund projects, but was only able to fund $1,000,000,000 in awards. This funding will spur construction quickly, especially since HUD has ready-to-go applications for projects on hand. This funding will support an estimated 10,900 construction jobs.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING TRUST FUND

The bill provides $1,000,000,000 for the National Housing Trust Fund to provide communities with funds to build, preserve, and rehabilitate rental homes that are affordable for extremely and very low income households; and $65,000,000 for project-based vouchers to support units built by the Trust Fund. Nationwide, for every 100 extremely low income renter households, there are only 37

homes they can afford, further, capital expenditures for housing will create jobs in the construction industry. This funding will support an estimated 19,000 construction jobs.

CHAPTER 7—GENERAL PROVISION

TARP REDUCTION

Section 1701 reduces the ceiling on loans, investments and other assistance under the Troubled Asset Relief Program (TARP) by $150,000,000.

Section 1702 provides that all funds under this title shall be subject to section 1604 of division A of the American Recovery and Reinvestment Act of 2009.

Section 1703 makes appropriations in this title subject to American Recovery and Reinvestment Act reporting and transparency requirements and Inspector General oversight.

TITLE II—SURFACE TRANSPORTATION EXTENSION

This title extends the authorization for the highway, transit, highway safety and motor carrier safety programs of the Department of Transportation until September 30, 2010. In addition, the bill includes language that provides 100 percent federal share for the transportation programs authorized in the title, repeals the provision that prohibits Highway Trust Fund balances from earning interest, and restores $20,000,000,000 to the Highway Trust Fund.

This title also strengthens the Buy America requirements for highway and transit projects, and provides greater transparency for Buy America waivers.

TITLE III—UNEMPLOYMENT AND OTHER EMERGENCY NEEDS

CHAPTER 1—AGRICULTURE AND RURAL DEVELOPMENT

DEPARTMENT OF AGRICULTURE

GENERAL PROVISION—THIS CHAPTER

(RESCISSION)

RELIEF FOR DISCRIMINATION IN A CREDIT PROGRAM OF THE DEPARTMENT OF AGRICULTURE UNDER THE EQUAL CREDIT OPPORTUNITY ACT

Section 3101 extends the statute of limitations for claims of discrimination in USDA's credit programs that have been pending at USDA.

CHAPTER 2—FINANCIAL SERVICES AND GENERAL GOVERNMENT

INDEPENDENT AGENCIES

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

The bill provides $354,000,000 to the Small Business Administration (SBA), to continue two temporary enhancements to SBA loan guarantee programs made by the American Recovery and Reinvestment Act of 2009 and which are nearly out of funding. One of the enhancements being extended allows the SBA to guarantee 90 percent of certain small business loans, instead of the 75 percent allowed under permanent law (or 85 percent for small loans), thereby encouraging banks to make these loans by reducing the amount they have at risk and the reserves they must hold. The other reduces fees paid by lenders and borrowers. The funding provided in the bill is estimated to be sufficient to continue both items through the end of fiscal year 2010. The bill also extends the expiration date of the authorization for the 90 percent loan guarantees to September 30, 2010.

GENERAL PROVISION—THIS CHAPTER

(RESCISSION)

Section 3201 rescinds funds that will lapse at the end of fiscal year 2010.

CHAPTER 3—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

GENERAL PROVISIONS—THIS CHAPTER

ASSISTANCE FOR UNEMPLOYED WORKERS AND STRUGGLING FAMILIES

Section 3301 provides a six-month extension of expiring UI benefit provisions that were established or continued in the American Recovery and Reinvestment Act, including the Emergency Unemployment Compensation program, 100 percent Federal funding for the Extended Benefits program, and the extra $25 weekly UI benefit.

EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS

Section 3302 extends the 65 percent COBRA health insurance subsidy from nine to 15 months for individuals who have lost their jobs. The job lost eligibility date is extended in the provision through June 30, 2010.

EXTENSION OF RECOVERY ACT INCREASE IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE (FMAP)

Section 3303 extends for six months, through June 2010, the FMAP provision in the Recovery Act, which increases the Federal match for Medicaid for all State programs.

REPEAL OF EARNED INCOME THRESHOLD FOR DETERMINING REFUNDABLE PORTION OF CHILD TAX CREDIT

Section 3304 increases the eligibility for the refundable portion of the child tax credit. The bill would increase the eligibility for the refundable child tax credit in 2010. For 2009, the child tax credit is refundable to the extent of 15 percent of the taxpayer's earned income in excess of $3,000. The bill would eliminate this floor for 2010.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) POVERTY GUIDELINES

Section 3305 includes a provision to freeze the HHS poverty guidelines at 2009 levels in order to prevent a reduction in eligibility for certain means-tested programs, including Medicaid, Supplemental Nutrition Assistance Program (SNAP), and child nutrition, in 2010.

REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS

Section 3306 provides, for one year, the exclusion of tax refunds as income for the purpose of assessing eligibility for means-tested programs supported by Federal funds.

Section 3307 permanently authorizes a provision to help Social Security and Supplemental Security Income disability claimants retain professional representation.

CHAPTER 4—GENERAL PROVISION—THIS TITLE

Section 3401 provides an emergency designation and PAYGO emergency designation.

TITLE IV—GENERAL PROVISIONS—THIS ACT

Section 4001 establishes a period of availability for funds.

Section 4002 requires Buy America requirements.

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, neither the amended bill nor the explanatory statement contains any congressional earmarks, limited tax benefits, or limited tariff benefits.

With that, I would yield to the Speaker to conclude my remarks.

The SPEAKER pro tempore. The gentlewoman from California is recognized.

Mr. LEWIS of California. Madam Speaker, I certainly would not object, but I had asked the chairman about additional speakers, and clearly I would never, ever detract from our Speaker, but in the meantime, a little straightforward discussion would be helpful.

Mr. OBEY. If the gentleman would yield. Well, he doesn't have the time. I will simply take the time to say that if I had known that the Speaker had been able to come to the floor, I certainly would have told the gentleman. I simply didn't know, and I trust that he believes me.

Mr. LEWIS of California. I certainly do.

Mr. OBEY. I thank the gentleman for that clarification.

Ms. PELOSI. Madam Speaker, I thank the distinguished chairman for yielding, for his unyielding work on behalf of America's working families, and in this case today for the creation of jobs, to grow our economy and to help those who have lost their jobs through no fault of their own.

I am grateful to the distinguished ranking member, Mr. LEWIS, for his courtesy. Yes, my apology. I didn't realize the debate would go to this point. But I did want to take the opportunity to talk about jobs to our colleagues and to this Congress in general.

Just to put it in perspective, 1 year ago, in January, the job loss was 740,000 jobs for that 1 month alone. Fast forward to now, and the job loss for November is 11,000 jobs. Seven hundred forty thousand 10 months ago; 11,000 jobs this month. We don't want to lose any jobs. But we are on the road to recovery, and we are there because this Congress made some very important and difficult decisions to take us there. We are on the road to recovery because of the leadership of President Barack Obama, who stood on the steps of the Capitol on his inauguration and asked for swift, bold action now so that we could take the country in a new direction and create jobs and grow our economy.

□ 1745

One week and 1 day from the President's inaugural address, this House of Representatives passed the Recovery Act. We were able to do so because we were ready. We had been ready with job creation packages, but we could not get the resources until we had a new President to make the investments, which took us from 740,000 jobs lost in January, in the first month of this year—the President, I am reminded, was inaugurated on January 20, toward the end of that month—and then 11,000 jobs.

I also want to call to our colleagues' attention back to the first quarter of 2009, and the GDP rate of growth was a negative. It was a minus 6.4 percent, a result of the failed economic policies of the previous administration. As of November 24, 2009, the GDP has a positive 2.8 and is growing; a swing of 9.2 percent in the GDP from negative, minus 6.4 to positive 2.8.

At the same time, I call to the attention of my colleagues that because of this new direction to grow our economy, the stock market was at a nadir. The first of 2009, we're at 7,000. We are now over 10,000, an increase of over 3,000 points in the stock market. Economists tell us that some of this change is directly related to the recovery package that we passed in January, the fiscally sound budget that we passed 100 days after the President's inauguration, which was a blueprint for the future, a statement of our national values that talked about how we could create jobs, lower taxes for the middle class—over 95 percent of the American people got a tax cut—and how we could reduce the deficit. It's all about job creation and reducing the deficit.

Three pillars of changing the economy in that budget were investments in health care, in education, and in energy to prevent climate change, to create new green jobs for the future, and to do so through science and innovation. Innovation begins in the classroom and is central to our competitiveness—innovation to reduce the cost of health care to families, to businesses, to our budget, and to our economy to make us competitive and keep us number one in the world's economy. All of this was passed by the House of Representatives: energy, climate change, education, and health care.

Then finally, this past week, we passed the regulatory reform legislation. Mr. FRANK is here, our chairman. It is the work of many people in this Congress. We passed regulatory reform to hold Wall Street accountable, to say that the party is over, to say that we are creating jobs for Main Street, not just wealth for Wall Street. We respect the creation of wealth and what it means to an economy and how it relates to the creation of jobs, but we cannot have a creation of wealth at the exploitation of the American worker. We did pass this regulatory reform without one Republican vote to hold Wall Street accountable, without one Republican vote.

So here we are today, after this plan that started on the steps of the Capitol—the inauguration of our new President—that had deep seeds in what we had tried to do before we had a Democratic administration but what we had been working for, so we were ready. And now today we want to pass this legislation which does two things: It creates jobs and saves jobs by investments in building the infrastructure of America. It doesn't do everything we would want, but what we do in there is paid for, building the infrastructure of America.

What it also invests in is to help States, cities, and localities keep their fiscal soundness so that they don't have to lay off teachers, firefighters, police officers, and people who work to meet the health needs of people in our community. This is important not only for public safety. That is self-evident. It is not only important because we don't want to lose our teachers. It is about the education of our children and how seriously that can be undermined with the layoffs and the uncertainty in the local and State budgets.

But on top of all of that, while we're concerned about what this does to working families and how important it is for people to have their jobs—they are also consumers—to the extent that they lose their jobs, our economy loses consumers. And when our economy loses consumers, we're in big trouble, economic trouble. We cannot let that happen.

So today, we have before us that package for job creation and job retention which is fiscally sound and which is paid for by using TARP funds, the unused TARP funds which were the subject of great debate but which, I do believe, saved us, pulled us from the brink of the financial crisis we were in as our recovery package later pulled us from the brink of economic disaster.

In addition to that, we have some safety net provisions about the extension of unemployment insurance, of COBRA to meet the health needs of those who are unemployed, which all expire the end of December, and other issues that relate to the well-being of America's working families, to address the concerns of the unemployed but, in addition to that, to create jobs in a fiscally sound way.

Fiscal responsibility is very important to us. It is our responsibility to our children not to increase the deficit, and that is why our health bill does not add one dime to the deficit; in fact, it decreases the deficit. I see Chairman RANGEL shaking his head. It is an important part of paying for that legislation. And Mr. MILLER and Mr. WAXMAN were so much an important part of that health care bill.

So here we are today with an opportunity to modestly and in a paid-for way address the issue of jobs. It's a four-letter word. Let's use that four-letter word everyplace we go—jobs, jobs, jobs, jobs.

I urge my colleagues, while some of your districts and some of your States may be doing better than other parts of the country, this is the time for us to recognize that we are a national economy and that what happens in one State has an impact on our national recovery.

I thank Chairman OBEY for his great leadership in putting this package together. I urge our colleagues to act on behalf of America's working families through the creation of jobs in a fiscally sound way, to honor our responsibility of public safety by protecting our first responders and our responsibility to our children to make sure that their education does not have a gap, because we have a budgetary gap, and understanding the role that consumers play in our economy. I hope that we will have a strong ''yes'' vote on this legislation.

With that, Mr. Chairman, I commend you again.

Mr. LANGEVIN. Madam Speaker, I rise in strong support of H.R. 2847, the Jobs for Main Street Act, which redirects Trouble Asset Relief Program (TARP) funds from Wall Street to Main Street, where our towns, small businesses and families need it most.

While we have seen some significant improvements since this time last year, we are still feeling the repercussions of the worst economic downturn since the Great Depression. Many older Americans are entering retirement with deflated savings, forced to dramatically adjust plans and expectations for their golden years. Millions of our constituents remain unemployed, desperately searching for jobs that simply aren't there. Rhode Island families are struggling to pay bills and mortgage payments, and in too many cases, those who used to have two salaries to rely on must now make do with only one. While we have brought the economy back from the brink, we must do more to limit job loss and create new employment opportunities.

H.R. 2847 addresses these issues by redirecting $48 billion in unused TARP funds to highway infrastructure, school renovation grants, public transportation investments and airport improvement grants. To address our housing needs, this measure contains $1 billion for the National Housing Trust Fund that provides communities with funds to build, preserve and rehabilitate affordable rental homes and $1 billion for the Public Housing Capital Fund for repairs and rehabilitation of public housing.

The Jobs for Main Street Act also uses $27 billion in TARP funds to stabilize public service jobs, including teachers, firefighters and police officers. It funds an Education Jobs Fund to help states retain or create jobs in school districts and public higher education institutions. And it includes funding for AmeriCorps, the College Work Study program, and job training for high growth and emerging industry sectors, including those in health care and green industries.

Small businesses have borne the brunt of this economic crisis, and their inability to access credit to keep their businesses operating has clearly added to the high unemployment rate across the nation, and especially in Rhode Island. It is imperative that our small businesses have access to the tools they need to weather this economic downturn, as well as to keep and create jobs. H.R. 2847 will help by extending Recovery Act provisions that eliminated fees on SBA loans and guaranteeing these loans at 90 percent. This gives local banks and credit unions the confidence to lend to small businesses.

This measure also extends crucial American Recovery and Reinvestment Act safety net programs that provide invaluable health and social services to our nation's low-income and disabled citizens with the inclusion of $23.5 billion in enhanced funding for state Medicaid programs. It further extends a provision to assist recently unemployed individuals and their families by helping them maintain their health coverage through a 65 percent subsidy for health insurance premiums under COBRA from nine months to 15 months and also extends unemployment benefits by six months.

This job creation package will help move our country further down the road to recovery and help our families in need during this holiday season. I urge my colleagues to support this bill.

Mr. DINGELL. Madam Speaker, I rise today to offer my unequivocal support for H.R. 2847, the Jobs for Main Street Act. As a federal representative from the state of Michigan, I can attest to the hardship facing my constituents, and others across the state, as a direct result of unemployment. This legislation will build off the progress made by the American Recovery and Reinvestment Act and create jobs quickly through projects needed by the community such as new roads, water facilities, and by protecting the jobs we have in the fields of education and law enforcement.

H.R. 2847 is legislation that will greatly help the 15th District in Michigan. There is no question that Michigan has been hit the hardest and the earliest by this economic recession, leading unemployment across the country for months, which is now almost 15 percent. Yet this does not tell the full story. Since 2000, Michigan has lost over 800,000 jobs, roughly one in every six, and in Detroit alone 45 percent of working-age adults are unemployed. Combine this with the fact that for every job opening about six people are applying, and you can see why the workers in Michigan are facing a perfect storm.

This legislation will help to calm this storm by investing in public works projects that will create new jobs, setting aside $48 billion for rebuilding our roads and bridges, modernizing public buildings, constructing new water facilities, and building and preserving affordable rental houses. We will also help to save or create jobs in our public schools, our police and fire departments, while training workers in growing fields such as health care and alternative energy or ''green'' fields.

Further, this legislation will extend emergency unemployment benefits through June 2010, and extend and expand the COBRA subsidy through June and expand the months of help from 9 months to 15 months. These changes will help the nearly one million workers exhausting their unemployment benefits by January and the hundreds of thousands of workers who have already begun rolling off the COBRA subsidy program.

It is imperative that both the House and the Senate pass H.R. 2847 quickly. This legislation is not a hand-out; rather it is an immediate injection into local economies across the country. It is funding America families will use to keep their heat on this Christmas, to pay their mortgage for the next few months, and keep their health insurance through the summer. Quite frankly this funding is a crutch until these workers can find their next job, or complete the training they need for a second career.

Madam Speaker, after spending this summer bailing out Wall Street, it is time that we help Main Street. I urge my colleagues to reiterate their support to the American families in need and vote in favor of H.R. 2847.

Mr. LINDER. Madam Speaker, I rise in opposition to this legislation, and in particular the provisions adding $40 billion to the deficit, leading to even more tax hikes on jobs, and ultimately increasing unemployment across the Nation. Those provisions are just the latest in a series of massive expansions of Federal unemployment benefits dating back to 2008. And here we are again with yet another extension of Federal unemployment benefits, at enormous expense to taxpayers. But no matter how much Congress spends and no matter how many benefit extensions this body passes, my colleagues on the other side of the aisle can't seem to understand that Americans want paychecks, not unemployment checks. Until they drop their job-killing government health care takeover and energy and other massive tax hikes, jobs and paychecks will continue to be in far too short supply.

PROMISING MILLIONS OF NEW JOBS, DELIVERING MILLIONS MORE UNEMPLOYED

Jobs and paychecks are definitely not what Democrats have delivered to date. They insisted their so-called 2009 stimulus bill would create 3.5 million jobs and keep unemployment from rising above 8 percent. Instead we have lost almost 3 million jobs since then as unemployment rose to 10 percent:

GRAPHIC REMOVED

These rates are more than just abstract numbers. They represent real Americans who are no longer receiving a paycheck to provide for themselves and their families—a total of 3.7 million more unemployed than the President promised if his stimulus bill became law. Those 3.7 million people could form an unemployment line stretching literally from Washington, D.C. to Chicago, Illinois. No amount of Federal spending, no White House jobs summit, and not even millions of unemployment checks can distract from that sorry record of job destruction.

The American people are not fooled, either. A current CBS/New York Times poll finds that 61 percent think the $1 trillion 2009 stimulus bill has either had no effect or made the economy worse. Half as many, only 32 percent, think the stimulus bill has made things better.

WORST ''JOBS SPEAKER'' EVER

In an attempt to distract from this grim record, Democrats have taken to blaming the last President for the failure of their own stimulus plan to create jobs. On December 4, 2009, 35 months after she became Speaker and 11 months after Barack Obama became President, House Speaker NANCY PELOSI said ''Bush Administration policies created a huge jobs deficit.'' Yet every one of the ''Bush Administration'' job losses she decried happened on her watch as Speaker. The facts show NANCY PELOSI is the worst Speaker in terms of job creation since official data began in 1939. More than 6 million jobs—4.5 percent of all jobs in the U.S. economy—have been destroyed since she became Speaker in 2007:

GRAPHIC REMOVED

WORST ''JOBS PRESIDENT'' SINCE HERBERT HOOVER

Further, and despite repeated claims from the President and various Administration officials that stimulus ''is working,'' Barack Obama has compiled the worst jobs record since Herbert Hoover:

GRAPHIC REMOVED

PROVIDING RECORD AMOUNTS OF UNEMPLOYMENT BENEFITS

In response to this horrific record of rising unemployment and job destruction, the Democrat leadership has only one ''solution''—paying even more unemployment benefits. This latest extension comes just one month after the House considered the last expansion of unemployment benefits, which added 20 more weeks of Federal unemployment benefits, increasing total benefits to an unprecedented 99 weeks in most of the U.S.:

GRAPHIC REMOVED

The USA Today last week called this payment of 99 weeks of unemployment benefits ''excessive'' and ''a disincentive to find work.'' They're right. Everyone from Presidential advisor Larry Summers to the New York Times, Washington Post, and Congressional Budget Office agree that's a concern, especially as the job market starts to recover. And we all hope it will start to recover in the coming months.

CREATING RECORD UNEMPLOYMENT BENEFIT RECEIPT

But regardless of Democrats' current ''jobs'' rhetoric, there is no evidence this bill will deliver jobs and paychecks—just millions more unemployment checks. Those checks will be in addition to the all-time record number of unemployment benefits currently being paid to 9.5 million Americans per week last month. The Federal extended benefits programs are now so enormous—and the 2009 stimulus law was such an utter failure at stemming the tide of job loss and long-term unemployment—that soon more Americans will collect Federal extended benefits than regular State unemployment checks for the first time ever:

GRAPHIC REMOVED

ADDING MASSIVELY TO DEFICITS AND DEBT

These unemployment checks cost a tremendous amount of money. Since ''emergency'' Federal unemployment benefits began in mid-2008, the Federal government has spent an astonishing $100 billion on these programs. That is 4 times what the Federal government spent on emergency unemployment benefits in the wake of the 2001 recession and terrorist attacks. The tidal wave of recent spending has bankrupted the Federal unemployment accounts and forced Democrats to engage in a massive and growing bailout with general revenues. The legislation before us adds to those massive totals, increasing Federal spending by $7 billion per month, or a total of over $40 billion more during just the next six months. All of which will add to our record deficits and debt.

Tellingly, none of these additional unemployment benefits will be paid for, despite Democrats' recent claims of fiscal responsibility. For example, last week on the House floor, senior Ways and Means Member Sander Levin of Michigan said of a bill that permanently raised taxes to pay for temporary tax relief ''What we are suggesting here is fiscal responsibility. Don't dig the hole deeper and deeper. Step up and pay for it.'' The next day, Speaker PELOSI held a news conference at which she said: ''On jobs, we hope next week that in our final appropriations bill we will be able to have a jobs piece that will create jobs in the near term to address the needs of those who are unemployed and do so in a fiscally sound way.''

Yet here we are again digging that hole deeper, and doing nothing ''in a fiscally sound way.'' None of our Democrat colleagues suggest we ''step up and pay for'' this new spending either. This despite the fact that, even before this measure passes, debt and unemployment have increased by a staggering 55 percent since President Obama took office just 11 months ago:

GRAPHIC REMOVED

MORE UNEMPLOYMENT AND BENEFIT SPENDING TO COME

No one seriously thinks all this spending—or the job losses—will end with this extension, either. That means at least some of the ''emergency'' spending in today's bill is likely to continue for years ahead. The President's economist, Dr. Christina Romer, anticipated as much this past weekend when she said ''I'm

not going to say the recession is over until the unemployment rate is down to normal levels.'' She went on to define ''normal'' as ''where we were before the recession.'' How long might that take? According to a recent study by economists at Rutgers, the U.S. won't return to pre-recession employment levels until 2017. That would mean the current recession, in Dr. Romer's view, would last a decade, or as long as the Depression of the 1930s.

THE COMING WAVE OF JOB-KILLING TAX HIKES

The Federal unemployment accounts are exhausted and most Federal benefits are currently supported by general revenues—the same source of funding for welfare benefits. State unemployment benefits, in contrast, remain supported either by State payroll taxes, or Federal loans—also supported by Federal general revenues and which will also have to be repaid with future State tax hikes.

Those State tax hikes are already under way. On December 8, 2009, the bipartisan National Association of State Workforce Administrators issued a report that 35 States will increase State unemployment payroll taxes in 2010. These are direct taxes on jobs, made worse by the failure of the 2009 stimulus law to create jobs and stem unemployment. The NASWA report notes the 2010 tax hikes range up to a stunning 600 percent. As one small businessman said simply, ''This is a job killer.'' (A list of other recent quotes about how these tax hikes will destroy jobs is included below.)

As the above data shows, Democrat stimulus legislation has succeeded in increasing unemployment, not reducing it. Instead of creating 3.5 million new jobs, the 2009 stimulus bill has been followed by almost 3 million job losses. And now record unemployment benefit payments that followed have become their own engine of job destruction, contributing to an enormous wave of Federal borrowing and State tax hikes that will stifle job growth for years to come.

Adding to the pain, Democrat energy policies would increase the price of energy and kill millions of jobs. Democrat health policies would make health care and health insurance more expensive and kill millions more jobs. And other Democrat spending proposals in this second (or really third or fourth, depending on how one counts) stimulus bill will further drive up the debt and kill even more jobs.

We can and must do better. It's well past time for us to shelve Democrats' job-killing energy, health care, and tax hike agendas. We will then unleash America's job creation engine so laid off workers can finally get back to work. That effort should start with a vote against this legislation, and a renewed commitment to offer unemployed workers real help in finding new work, instead of just more benefit checks.

APPENDIX: RECENT QUOTES ABOUT HOW STATE UNEMPLOYMENT TAX HIKES WILL KILL JOBS FROM SEA TO SHINING SEA

California: ''Tax may feed unemployment: business owners fear insurance spike,'' March 30, 2009:

''Thanks to the tanking economy and past benefit hikes, the state's system for providing unemployment benefits is insolvent. And the fix that state lawmakers are considering is to dramatically raise the taxes employers pay into the system. The irony: That could force companies to lay off employees. Take, for example, Steve Diels, who owns a Redondo Beach call center. Any tax increase could force him to fill out some pink slips. 'Right now, my profit margin has slipped and I'm doing everything I can to avoid laying anyone off,' said Diels, a Redondo Beach city councilman who employs 38 people at Aamcom Inc. 'But if they increase the unemployment tax, employers like me will have to lay people off and that will only make things worse with the unemployment fund.' ''

Connecticut: ''State may tax business to bail out broke jobless fund,'' December 5, 2009:

''Tony Sheridan, president of the Chamber of Commerce of Eastern Connecticut, said . . . 'It's a tough situation and there's not one single business that can stand a tax increase'.''

Florida: ''Creating more jobs is 'Job No. 1','' December 10, 2009

''A good example of policy that discourages hiring is the impending radical increase in the unemployment tax in Florida, triggered by the depletion of the unemployment trust fund by record jobless claims. That increase is so steep—from $8.40 per employee to $100 for the minimum tax; from $378 to $459 for the maximum—that it could not only discourage hiring, it could put some businesses under.''

Hawaii: ''Big payroll tax reset weighs on Hawaii business,'' December 4, 2009:

''Big Island contractor Hinchcliff Drywall Construction will see a more than six-fold increase in its payroll taxes next year, which will soar from the current $18,500 annually to $116,350. . . . 'I don't understand why the rates were not raised gradually over the period of two or three years—it almost seems a bit backwards,' said Michelle Danihel-Kreusling, controller of Hinchcliff Drywall, which employs 80 people. 'Practically cutting off your nose to spite your face,' she said. 'This rate hike will either require many businesses to either drastically reduce their labor force or close shop completely, both of which would increase the unemployment rate.' ''

Maine: ''Maine raises unemployment tax by $54 million,'' December 1, 2009:

''David Clough, Maine director of the National Federation of Independent Businesses, said his members will be hit hard by the tax hike. He said it will cost jobs, either from layoffs or positions that go unfilled.''

Maryland: ''Rising unemployment taxes could hinder hiring,'' November 22, 2009:

''Employers already are squeezed by tight credit, rising health care costs, wary consumers and a higher minimum wage. Now, the surging jobless rate is imposing another cost. It's forcing higher state taxes on companies to pay for unemployment insurance claims. Some employers say the extra costs make them less likely to hire. . . . Chuck Ferrar, who owns a liquor store in Annapolis, Md., expects to pay $9,000 in unemployment taxes next year, up from $3,000 this year. Health care costs for his employees will rise by $8,000, or 17.5 percent. 'When you start adding this up, it turns into real money,' he said. 'If I lose an employee through attrition, I will not replace him. You can't afford to do it.''

Massachusetts: ''Unemployment at 33-year high; insurance fund running dry,'' October 16, 2009:

'' 'This is a breathtakingly bad picture,' said Michael Widmer, president of the Massachusetts Taxpayers Foundation, a business-funded public policy group, and also a member of the advisory council that monitors the solvency of the two accounts that fund unemployment benefits. 'They're putting additional taxes on employers, and we are seeing our jobs erode,' Widmer said in an interview. 'It's devastating in terms of the state's competitiveness.' ''

Michigan: ''New unemployment-insurance taxes: $63 million in 2010,'' September 13, 2009:

''Frank Lope, an alliance board member and chairman of Romulus-based Aztec Manufacturing Corp., said . . . 'It's going to be another impediment on businesses as they go to look at hiring people,' Lopez said. 'It's just another, so to speak, of the many nails in the coffin for continued growth of businesses in the state of Michigan.' ''

Nevada: ''Businesses May See Huge Tax Increase,'' September 23, 2009:

''Some financial experts are still concerned that a huge jump in the unemployment benefit tax will force businesses to lay off employees to pay for the increase.''

North Carolina: ''N.C. borrowing billions for jobless,'' December 1, 2009:

''Walden, the economist, said raising taxes would be a mistake as long as the economy is hurting. 'In essence, you can look at that as a tax on new employees, and we don't want to do that,' he said. The deep recession has made it impossible for North Carolina to forecast how much unemployment tax funds the state will receive from employers next year, Clegg said. 'Not to be maudlin, but I don't know who will be paying taxes in the first quarter of 2010 because I don't know what businesses will survive,' he said.''

Rhode Island: ''R.I. businesses to pay higher jobless taxes,'' November 23, 2009:

''Mark Higgins, dean of the University of Rhode Island's College of Business Administration, said the tax hike was inevitable . . . Depending on the circumstances, the tax increase is one factor that could discourage a business from hiring next year, Higgins said. Higher unemployment tax 'just increases the cost of hiring somebody,' he said. 'It increases the cost of payroll . . . [and] of keeping [an employee] on the payroll,' he said.''

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of the Jobs for Main Street Act. Now that recent initiatives aimed at stabilizing our financial system and stimulating our economy are beginning to have their intended effect, this targeted legislation is laser-focused on job creation to ensure that all Americans will have an opportunity to participate in our ongoing economic recovery.

Specifically, the Jobs for Main Street Act invests $48 billion in our nation's highways, transit systems, school facilities, water infrastructure and housing stock. In addition to putting hundreds of thousands of Americans back to work, these funds will make needed improvements and renovations to our nation's aging infrastructure. $27 billion is provided to hire, train and equip an estimated 820,000 teachers, police, firefighters and other public service personnel. Job-generating small businesses will get greater access to Small Business Administration (SBA) loans by eliminating fees and by providing higher guarantees to the private banks that lend to them. These measures, in addition to the small business Recovery Act initiatives that preceded them, will help generate well over $9 billion in new small business lending.

To help Americans who are out of work or have lost their employer-provided health insurance, this legislation extends emergency unemployment and COBRA benefits through

June, 2010. States will receive an extra six months of federal matching funds to help cover their Medicaid costs through June, 2011, and the families of 16 million low-income children will get a tax cut through greater access to the Child Tax Credit.

Madam Speaker, this Congress on a bipartisan basis extended support to Wall Street during a period of potentially catastrophic systemic risk and extraordinary need. It is now high time we make an equally extraordinary effort on behalf of creating jobs for Main Street so that the prosperity we are creating is broadly shared by all.

Mr. BUYER. Madam Speaker, I rise in opposition to H.R. 2847 the, ''Jobs for Main Street Act of 2009.''

Madam Speaker, once again members are being asked to vote on a 100-page bill, which was posted in the dead of night in the name of creating jobs that unfortunately will probably never materialize. What it will do is needlessly expand the size of the Federal Government. Madam Speaker, this is not the type of open and transparent process that the American people want or deserve.

I am especially concerned that this bill spends millions of taxpayer dollars on innumerable pork barrel programs and pet projects, but it does not spend a dime to help create jobs for veterans. Recent unemployment numbers from the U.S. Bureau of Labor Statistics show that in the month of November there were over one million unemployed veterans, and that is unacceptable.

The unemployment rate among our newest veterans, ages 18–24, remains extremely high at 20 percent. Equally disturbing is that 700,000 of the one million unemployed veterans are between the ages of 35 and 64, the years normally characterized by both highest earning power and highest financial need for important items such as paying mortgages and tuitions.

Madam Speaker, it is because of these alarming statistics that earlier this month I was joined by many members of the Committee on Veterans' Affairs in introducing H.R. 4220 the Promoting Jobs for Veterans Act of 2009. H.R. 4220 would help veterans find employment by providing funding and incentives for them to pursue employment training and education. The bill would also expand opportunities within the Federal Government for veteran-owned and service disabled veteran-owned small businesses.

It was my hope that any ''jobs package'' would have included provisions such as those from H.R. 4220 to help those who have defended freedom, and it is unfortunate that the heavy handed tactics being used today have effectively prevented anyone from offering an amendment to include these provisions.

Madam Speaker, I believe that veterans could serve as an important catalyst to economic recovery. Veterans are dedicated employees and engaged entrepreneurs, and this would expand job and entrepreneurial opportunities for these selfless individuals. It is my hope that early in the next session we can consider H.R. 4220 and examine other ways to improve employment opportunities for our veterans.

Mr. DEFAZIO. Madam Speaker, the U.S economy continues to limp along mired in a jobless recovery. Wall Street banks have begun to recover thanks to a $700 billion bailout paid for by taxpayers. Unfortunately, everyone else continues to suffer the effects of the economic collapse. Oregon's unemployment rate exceeds 11 percent and small businesses in my district can't get banks to lend to them. I have long advocated for a targeted jobs recovery program that focuses on substantial investments in our Nation's infrastructure, which will create jobs quickly and leave a long-term benefit for future generations.

I reluctantly voted for H.R. 2847, the Jobs for Main Street Act because it begins to make these investments that are both desperately needed and effective at creating jobs. There are nearly 10,000 of ready-to-go infrastructure projects across the country that have been postponed or delayed due to decades of underinvestment and underfunding. There are 61,000 miles of the National Highway System in poor or fair condition. 152,000 bridges are structurally deficient or functionally obsolete. The Nation's largest transit agencies face a combined $80 billion maintenance backlog to bring their rail systems to a state of good repair.

The American Recovery and Reinvestment Act, ARRA, provided a mere $34 billion for highway and transit formula programs. Nearly 70 percent of the funding has already been put out to bid on over 9,500 infrastructure projects. The 7,900 Recovery Act infrastructure projects have created or sustained more than 210,000 direct jobs, as well as 630,000 indirect jobs in the past nine months.

As the ARRA Act infrastructure funding draws to a close, there are still over 9,000 shovel ready infrastructure projects across the country that could proceed within 120 days. The projects include 7,500 in ready-to-go highway and bridge projects; over 1,800 in ready-to-go transit, rail, port, and aviation projects; and an estimated $21 billion worth of projects that transit agencies across the country could undertake immediately. These projects will create not just public sector construction jobs, but will procure American-made transit buses, trains, electrical equipment, computer systems and software designed by private sector, American engineers.

H.R. 2847 represents the bare minimum of what we need to do. Should the Senate redirect this effort to tax cuts or other ineffective job creation policies, I will have a very difficult time supporting a final bill.

Mr. CONYERS. Madan Speaker, I rise in support of passage of the Jobs for Main Street Act of 2010.

I believe this legislation is one of the most cost effective ways to provide cities across this country with desperately needed federal funding to help create and stabilize jobs, assist families who need their unemployment benefits extended, and to ensure that they can keep their health insurance.

Passage of the Jobs for Main Street Act of 2010 is critically important for America's working families, and unemployed individuals, given the current economic status of this country.

The Nation is experiencing extreme difficulties leading to high unemployment rates, especially in my home State of Michigan. Passage of this bill will provide real tangible relief for those who are depending on the Federal Government to help them survive in a time of financial crisis—not empty rhetoric and promises that help nobody.

The Jobs for Main Street Act of 2010 will help reduce these problems by stabilizing and creating jobs through infrastructure investments, an increase in public service jobs, and provide emergency relief for families hurt by the economy.

The bill will provide billions of dollars to create or save jobs with targeted investments for highways and transit, school renovation, hiring teachers, police, and firefighters, small business, job training and affordable housing which are essential elements in promoting economic growth.

However, passage of the Jobs for Main Street Act of 2010 is just the beginning of the process to put America back to work. We must act quickly to establish a full-employment economy, where every American who wants a job should be able to find one; and at a livable wage. This can and must be done if America is ever going to become a truly productive country.

During the depression, President Roosevelt put millions of Americans to work by creating public service jobs such as building roads, national parks, and rural electrification systems. We can do the same by creating a 21st century public works jobs program for America that can quickly employ the millions of citizens in this country who simply cannot find employment in the private sector.

The passage of this legislation will help put our Nation on the road to recovery. Therefore, I urge my colleagues to support this bill.

Mr. HOLT. Madam Speaker, I rise in support of H.R. 2847, the Jobs for Main Street Act. This legislation would provide jobs for tens of thousands of Americans, preserve thousands more jobs, and continue essential benefits to aid the unemployed without increasing the national debt.

We have taken important steps to bring our economy back from the worst economic crisis in three-quarters of a century. We've made important investments in our infrastructure, clean energy jobs, science research, and the next generation of workers.

There are clear signs that the economy is improving. Instead of shrinking by 6.4 percent a quarter, the economy has grown by 2.8 percent. Instead of losing 741,000 jobs a month, as the economy did a year ago, last month the economy shed 11,000 jobs. These are encouraging signs.

Yet, I'm not going to sit on my hands and wait for job creation. Families in New Jersey, who have lost a job or had their hours or paychecks cut, are still hurting. And we know employers have cut jobs more sharply and are more hesitant to replace them than in previous downturns.

The government can and should work together to increase employment opportunities in the short-term, mid-term, and long-term. Economists, business leaders, financial experts, among others, have argued that the Federal Government, and only the Federal Government, can inject into the economy a stimulus of sufficient size to make up for the frozen, collapsing economy. The package we are considering today will build on our previous investment, creating needed jobs and helping those who continue to be unemployed.

The Jobs for Main Street Act would redirect $48.3 billion to put Americans to work rebuilding our Nation's crumbling roads and bridges, modernizing public buildings, and improving air and water quality. Specifically it would invest $27.5 billion in highway infrastructure improvements, $8.4 billion for transit improvements, and $800 million to improve Amtrak. It

is estimated that this investment will create over 750,000 new jobs. Additionally, H.R. 2847 would invest $2.8 billion in clean water infrastructure, aquatic ecosystem restoration, and flood mitigation; creating another 50,000 jobs. It also will put contractors back to work by providing states with $4.1 billion for school construction, rehabilitation, and renovations. The $270 million that this legislation would invest in improving and protecting Federal, State, and local public lands would support approximately 14,000 short-term jobs, improving service to visitors, reducing the large backlog in facilities and habitat restoration needs, and reducing hazardous fuels that lead to damaging and expensive wildfires. These investments will do more than create jobs in the short term, they will provide long term benefits to all Americans.

Over the past year, I have held a number of events focused on jobs. Two months ago, I brought 50 central Jersey small business owners to Washington to hear their concerns and help them access helpful programs. Two weeks ago, I hosted a jobs forum in central New Jersey. At both events, I heard from small business owners struggling to get the credit and loans they need. The Jobs for Main Street Act would help those small businesses by eliminating fees on Small Business Administration loans and by providing a strong guarantee for Small Business Administration loans to encourage more banks to lend to small businesses. Small businesses are the engine that drives our economy, and during rough economic times they are also the engine that drives job creation. This is one step that Congress is taking to help our small businesses, who generate jobs and develop the innovative products of the future.

I especially am pleased this bill provides funding to ensure that states can keep police officers, firefighters, teachers, and other State and local employees on the job. Without this funding, States would be forced to make the difficult decision between cutting jobs and services or increasing taxes. That is a choice that no state should have to make, especially in difficult economic times.

The Jobs for Main Street Act includes $1.18 billion to help put more than 5,500 law enforcement officers on the beat throughout the United States, and $500 million to retain, rehire, and hire firefighters across the United States. According to the International Association of Firefighters, nearly 6,000 firefighters have been laid off or are subject to layoffs. An additional 6,000 positions have been lost through attrition. The bill would provide $18.9 billion to school districts and public institutions of higher education to retain or create 250,000 teaching jobs.

The recession has hit those between the ages of 16 and 25 particularly hard, and the unemployment rate is especially high for this group. The Jobs for Main Street Act would provide much needed job training and temporary public service positions to get these individuals back to work. The bill would provide $200 million to hire an additional 25,000 AmeriCorps Members, this funding would enable those individuals to serve their communities while earning an education award to further their education or pay off student loans. With the teenage unemployment rate at its highest rate in history, 27.8 percent, this legislation would invest $500 million to create 250,000 summer jobs for disadvantaged youth. H.R. 2847 would help up to 250,000 students stay in school by investing $300 million in the College Work Study program, which supports low- and moderate-income undergraduate and graduate students who work while attending college. Additionally, this legislation would provide $750 million for competitive grants to support job training for approximately 150,000 individuals in high growth and emerging industry sectors, particularly in the health care and green industries that are adding jobs despite difficult economic conditions.

For those workers struggling to maintain their health insurance while in between jobs, this bill would extend the COBRA subsidy established in the Recovery Act, which has already benefited approximately 7 million Americans. This expanded COBRA subsidy would help workers for 15 months with their COBRA health insurance premiums and help more Americans access this benefit. Job losses also have caused State Medicaid rolls to swell. This bill temporarily would increase the Federal Government's contribution to Medicaid to ensure States are able to provide health coverage to these workers. This two-prong approach will help ensure millions of unemployed workers are able to maintain health coverage for their families.

When we talk about jobs, we are not just talking about the economy. We are talking about the dignity that comes from holding a steady job that supports your family. The Jobs for Main Street Act recognizes this, and would help our families in real ways. I urge my colleagues to support it.

Mr. ETHERIDGE. Madam Speaker, I rise in support of H.R. 2847, the Jobs for Main Street Act. Over the last year, our economy has sustained serious damage. Although recent signs are pointing to an upswing in the overall economy, millions of Americans are jobless or have seen their hours drastically cut. The national unemployment rate is 10 percent while in my State of North Carolina the figure is 11 percent statewide, and reaches as high as 13 percent in parts of my district. Action is needed to help solve this crisis.

H.R. 2847 builds on earlier actions taken by Congress to create jobs and get Americans back to work. This bill provides $48.3 billion for highway construction, mass transit, and other infrastructure projects. Our Nation's infrastructure is in need of a serious update, and repairing our highways, renovating our schools, building new mass transit, and improving our airports and water and sewer facilities provides vitally needed jobs to Americans across the country. This bill also extends authorization for highway, transit, and safety funding, the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA–LU) through September of 2010. H.R. 2847 is a timely bill and gets funding in place for infrastructure projects that can start with the spring construction season.

I would like to thank Chairman RANGEL, and Speaker PELOSI, for their work to make Qualified School Construction Bonds more effective in this bill. I worked with Chairman RANGEL to create these bonds to put the Federal Government in partnership with local schools to meet their needs and help create jobs. Where these bonds have been issued, they are having a great impact on our economy and our communities. However, contrary to the intentions of the bill, only 15 percent of the 2009 QSCB bond allocations have been used to date. This bill allows State or local governments who issue QSCBs or Qualified Zone Academy Bonds to choose a direct payment to cover the interest they would otherwise have to fund themselves, at no additional cost to the Federal Government since the payment is equal to the tax credit that would otherwise be received by the investor. As I have mentioned before, investing in school construction and modernization is one of the best ways to help Main Street, create jobs, and address pressing national needs. I am pleased that we were able to make this change in the bill to bring funds quickly to our local schools and communities.

H.R. 2847 also provides $26.7 billion in aid for State and local governments. These funds are used to retain police, firefighters, teachers, and other workers who would otherwise lose their jobs due to State and local revenue shortfalls. This bill also provides assistance for those struggling the most in today's economy by extending the emergency unemployment benefits initiative for six months and the COBRA health insurance subsidy for an additional six months. H.R. 2847 includes $26.1 billion in tax credits for other assistance initiatives like the Child Care Tax Credit and Social Security legal assistance. Finally, H.R. 2847 targets small businesses, the economic engines that create the majority of new jobs, by extending funds for the Small Business Administration to continue affordable long-term loans for new startups.

Not only does this bill create jobs and boost the economy, it does so in a fiscally responsible manner. It includes the previously House-passed PAYGO language and would be paid for in part by savings from the Troubled Asset Relief Program, TARP. It's time for Wall Street to help shoulder some of the burden on Main Street. I support strong job creation measures and I support H.R. 2847. I urge my colleagues to join me in voting for its passage.

Mr. CARSON of Indiana. Madam Speaker, as we consider this final important jobs creating measure, I would like to draw attention to one of the important pieces of the legislation: the extension of the eligibility period for COBRA benefits. Unemployment numbers continue to hover nationally at 10 percent; however, in many areas of the country these numbers are far higher. With these high numbers comes a decline in access to healthcare benefits and thus the need for this critical provision.

Congress passed the landmark Consolidated Omnibus Budget Reconciliation Act (COBRA) health benefit provisions in 1986, and it has maintained a successful program by providing a continuation of group health coverage for individuals and families that might otherwise have been terminated. And, through the economic stimulus package passed in February, a 65 percent subsidy was provided for COBRA benefits for nine months and has been a welcome relief for thousands of unemployed workers who otherwise would not have been able to afford the COBRA premiums.

Many individuals and families have already exhausted their subsidy and are trying to figure out how to maintain their health insurance coverage. The problem is especially felt by older Americans who are close to retirement age and not yet eligible for Medicare, as they

tend to use more health care services. Providing our constituents with the ability to maintain health coverage when they become unemployed is a key to ensuring these individuals do not fall through the cracks and end up without the health insurance they need. I urge passage of this important legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H.R. 2487, the Jobs for Main Street Act. I salute my colleague Chairman OBEY for this bill that is the opening salvo in our effort to tackle one of the most important issues of the day facing our nation.

The bill redirects $48.3 billion from Wall Street to help put people to work rebuilding our crumbling roads and bridges, modernizing public buildings, and cleaning our air and water. I'm happy that we gave the American people a gift with $27.5 billion to make additional highway infrastructure investments. These projects support jobs in the short term while saving commuters time and money in the long term.

Another gift was made in the area of transit, with $8.4 billion for public transportation investments including $6.15 billion for urban and rural formula grants; $500 million for capital investment grants for new or expanded fixed guide way projects; and $1.75 billion in formula funds to address repair needs of existing subway, light rail and commuter rail systems. Public transportation saves Americans time and money, reducing carbon emissions by 37 million metric tons each year, which is timely as the world's eyes are centered on the debates in Copenhagen.

These gifts are news to the ears of my constituents. Let me share with you that in my district, which covers parts of the nation's fourth largest city, Houston, TX, our unemployment rate stands at nearly 9%. While this rate is more than a full percentage point below the national average, it should be noted that over 110,000 jobs were lost in the first 10 months of this year. Regrettably, a disproportionate share of those impacted by these job losses in my district have been African Americans and Latinos.

Yet, this ''jobs disparity'' is not limited to Houston; data from the Department of Labor indicates that African Americans throughout the nation today, in the era of President Obama, are still the last hired and the first fired. Specifically, the Bureau of Labor Statistics reports that the unemployment rate for African American men (20 and older) was 16.5 percent as of October of this year, and 12.4 percent for African American women at the same age level.

Historically, experts have suggested that the antidote to unemployment is education. However, Labor Department statistics appear to indicate that education, alone, does not level the playing field. In fact, higher education amongst African Americans may strangely enough even make it more difficult to obtain a job. For the first 10 months of this year, as the recession has dragged on, unemployment for least educated workers was the same for African Americans and the general population. However, in 2009, the unemployment rate for African American college graduates 25 and older has been nearly twice that of their Caucasian American male counterparts (8.4 percent compared with 4.4 percent). According to a New York Times article published on December 1st, even African American college graduates with degrees from Ivy League schools such as Yale, my alma mater, are finding themselves in the ranks of the unemployed.

In addition to the racial dimension of this ''jobs disparity,'' the recent economic downturn has focused a spotlight on a widening gap between employment rates among men and women, particularly in the African American community. It has been reported that since the nation's slowdown has been most pronounced in the manual labor sectors, men with the lowest levels of education have suffered the brunt of the unemployment crisis. CNN commentators recently described our current economic condition as a ''man-cession.''

According to a recent Bureau of Labor Statistics report, the unemployment rate for African American men aged 20 and older was 4.1 percent higher than the unemployment rate for African American women of the same age group, which was 12.4 percent. This gender unemployment gap among African Americans mirrors a similar gap between Caucasian and Latino Americans, thus demonstrating a nationwide trend.

Friends, we are in a battle for the hearts and souls of America, literally and figuratively. To win this battle, we must take bold action, like passing health care reform legislation in both chambers of Congress. Madam Speaker, I concur with the assessment that the health reform legislation voted out of this chamber last month in fact a ''jobs bill.''

As evidence of this, the Bureau of Labor Statistics reports that last month's slight dip in the unemployment rate was caused by the fact that for the third straight month, hospitals reported solid payroll additions, with 6,800 new jobs created. In the first 11 months of this year, the healthcare sector created 249,700 new jobs, an average of 22,700 new health care jobs each month, according to BLS' preliminary data. Since the start of the recession in December 2007, overall 7.9 million people in America have lost their jobs, while the healthcare sector has created 613,000 jobs.

In an article published in HealthLeaders Media, it was reported that the healthcare sector—from hospitals, to physicians' offices, to residential mental health homes, kidney dialysis centers, and blood and organ banks—grew by 21,000 payroll additions in November and 613,000 payroll additions since the start of the recession in December 2007. The home healthcare services sector reported 7,300 payroll additions in November, BLS preliminary data show.

Recognizing this Madam Speaker, I am working with health care and labor leaders to craft a jobs bill that create innovative new retraining programs in partnership with our Historically Black Colleges and Universities like Texas Southern University in my District or Howard University, here in Washington, DC. These training programs would focus on retooling workers for jobs in the growth sectors such as health, biotech, and information technology. In addition to funding for job training, I propose that we provide stipends to those who are unemployed and who participate in training programs to assist them in caring for their families. Along with this, my jobs bill would allow unemployed workers participating in job retraining to continue receiving unemployment benefits.

As a senior member of the Judiciary Committee, I am also working with the DOJ to incorporate into my jobs legislation a measure that would assist ex-offenders who are returning to the job market with strikes against them. In addition to eliminating any barriers for ex-offenders, I am also studying how we can encourage states to suspend criminal prosecution of fathers and other parents who are delinquent in child support so long as they are making good faith efforts to find jobs in this difficult employment market.

Madam Speaker, I also propose that we task the Department of Labor to expand its definition of the unemployed to cover not only those currently receiving unemployment compensation, but also those who have run out of unemployment insurance, known as the long term unemployed. I suspect that if we had accurate data that captured the entire unemployment picture, we would see jobless figures of upwards of 25–30 percent.

In addition, Madam Speaker, I also plan to propose we offer assistance to the underemployed, including thousands of lawyers and other professionals who work as part-timers or temp workers. Many of these professionals split their time between working for others and operating their own small firms. Furthermore, it has been noted that while larger firms are enjoying the benefit of government funded bailouts, our African American law firms, accounting firms, investment banking firms and media outlets are being left out of the funds directed at stimulating Wall Street. As Comcast and NBC Universal and other firms seek government permission to merge, I intend to work with these companies to ensure that our African American businesses are included, not left out of the deal flow.

Another jobs initiative would focus on creating apprentice and internship programs managed by cities and nonprofits like the Urban League. This is a take off of a Department of Labor that was very successful in the 1970s, which helped our nation rebound from its last recession.

Madam Speaker, during the 1930s–40s, the FDR Administration developed the Work Progress Administration (WPA). The WPA created thousands of jobs and helped lift our nation from depression. I am drafting legislation that would create a WPA for the 21st Century. This concept involves providing stimulus dollars to several federal agencies such as Interior, Transportation, and HHS to fund large scale projects.

Under my legislation, the new WPA would include modern day infrastructure and other projects including making broadband wireless Internet service available for all Americans, not just in wealthier suburban and downtown districts. In addition, we should create high speed rail and environmentally friendly highways and byways.

Finally, I plan that we work with HHS and the Energy Department to build new Green Hospitals across the country. This project would ensure that our nation's healthcare facilities are themselves healthy.

Madam Speaker, many of our unemployed constituents in Houston and around the nation are asking us a simple question: how long, how long before I can find a job? I say to them, not long . . . help is on the way. With the introduction and passage of jobs legislation offered by myself and the rest of the Congressional Black Caucus, help for the unemployed and underemployed, help for small businesses, is on the way.

I ask my colleagues to join me in supporting H.R. 2847, the Jobs for Main Street Act.

The SPEAKER pro tempore. All time for debate has expired.

CALL OF THE HOUSE

Mr. OBEY. Madam Speaker, pursuant to clause 7 of rule XX, I move a call of the House.

The SPEAKER pro tempore. The previous question being ordered, the Chair notes the absence of a quorum in accord with clause 7(c) of rule XX and chooses to entertain a motion for a call of the House pursuant to clause 7(b) of rule XX.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 990]

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the call). Although some of the amber lights in the display over the south gallery are not operational, the other system displays confirm that all of the Members listed in the affected column have recorded their presence.

□ 1845

The SPEAKER pro tempore. 429 Members have recorded their presence. A quorum is present.

JOBS FOR MAIN STREET ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 976, the previous question is ordered.

The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEWIS of California. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 4194, if ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 212, not voting 6, as follows:

[Roll No. 991]

AYES—217

Abercrombie
Ackerman
Altmire
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards (MD)
Ellison
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kissell
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Massa
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
Pingree (ME)
Polis (CO)
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—212

Aderholt
Adler (NJ)
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hodes
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Putnam
Quigley
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Schrader
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Space
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)

NOT VOTING—6

Johnson, E. B.
Linder
Murtha
Radanovich
Speier
Young (FL)

□ 1904

Mr. BAIRD changed his vote from ''no'' to ''aye.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. RADANOVICH. Madam Speaker, I was unable to make today's votes on the House floor due to a family illness. Had I been present I would have voted as follows:

''No'' on rollcall vote No. 991, on the motion to adopt H.R. 2847, the Jobs for Main Street Act.

LAW STUDENT CLINIC PARTICIPATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 4194.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 4194.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LOCAL COMMUNITY RADIO ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 1147, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the bill, H.R. 1147, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REAPPOINTMENT AS MEMBERS TO UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

The SPEAKER pro tempore. Pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), amended by division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), and the order of the House of January 6, 2009, the Chair announces the Speaker's reappointment of the following members on the part of the House to the United States-China Economic and Security Review Commission, effective January 1, 2010:

Ms. Carolyn Bartholomew, Washington, D.C.

Mr. Jeffrey L. Fiedler, Great Falls, VA

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
December 16, 2009.

Hon. NANCY PELOSI,
Speaker of the House of Representatives, H–232, U.S. Capitol, Washington, DC.

DEAR SPEAKER PELOSI: This letter is to formally notify you that on October 26, 2009 I sent a letter to Governor Charlie Crist of Florida stating that I will be resigning as the United States Representative from the 19th Congressional District of Florida at the end of the day on January 3, 2010.

I have been honored to serve in the United States House of Representatives for the past 13 years, and I will be eternally grateful to the residents of Florida's 19th Congressional District for giving me the opportunity to be their representative in Washington. When I leave Congress this January, I will serve as the president of the Center for Middle East Peace and Economic Cooperation, where I will take on the critical challenges facing the Middle East. In the coming years, Israeli, Palestinian, and Arab leaders will be faced with monumental decisions that will dramatically affect the region and the entire world for decades. I am confident that now is the best time for me to dedicate myself fully to these significant issues.

While I am deeply saddened to leave this august body, I am looking forward to continuing much of my work in Congress in a different capacity in my new role with the Center for Middle East Peace. I especially want to thank you personally, Speaker Pelosi, for your extraordinary leadership during these difficult times for our nation as well as the kindness and courtesy you have always extended to me. I have particularly admired the dignified manner and deep sense of conviction that you display as Speaker of the House. The opportunity to work with you and all our colleagues in the House has been a great privilege indeed, and I hope to continue these friendships for many years to come.

With warm regards,

ROBERT WEXLER.

HONORING MS. PATRICIA FISHER

(Mr. MEEKS of New York asked and was given permission to address the House for 1 minute.)

Mr. MEEKS of New York. Mr. Speaker, I rise today to honor a remarkable woman. Ms. Pat Fisher, who is my office manager, who is retiring next week after 33 years on the Hill.

She came into my office not too long ago and said, You know, I've been thinking about it. I served 11 years with your predecessor, Floyd Flake, and 11 years with his predecessor, Joe Addabbo, and now 11 years with you, and it's time for me to go home to my family.

And she has done it with such grace and such style. She is indeed a treasure and comes here with her father, who served in this House for 50 years. They love this place.

But let me tell you that Pat Fisher, she is a time-honored treasure who will truly be missed. She has been the gatekeeper for the Sixth Congressional District of New York for 33 years. And not only will Washington and this House miss her, but the 640,000 people who comprise the Sixth Congressional District of New York. We will miss her dearly. We wish her well and much success. Our loss will be her husband, Joe's, gain, and the rest of her family's: her daughter, her son, and her grandchild.

We wish you all the luck in the world. Thank you for your service to this great Nation and to the Sixth Congressional District.

TRIBUTE TO STAFF SERGEANT DENNIS J. HANSEN

(Mr. JORDAN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. JORDAN of Ohio. Mr. Speaker, I rise today to honor the life of one of America's fallen heroes, Army Staff Sergeant Dennis J. Hansen of Scottsville, New York, and formerly of Indian Lake, Ohio.

Born in Salt Lake City, Staff Sergeant Hansen was stationed at Fort Drum, New York, and assigned to the 1st Battalion, 32nd Infantry Regiment, 10th Mountain Division. He spent more than 8 years in the Marine Corps before joining the Army.

During his military career, Dennis served deployments in Africa, Kosovo, Japan, Panama, Cuba, Iraq, Afghanistan, and the Mediterranean.

He died on December 7, 2009, as a result of injuries sustained while serving his country in Afghanistan in support of Operation Enduring Freedom. Dennis, age 31, is survived by his loving family, including his wife, Jennifer; their children; and his parents, Dwight and Bonnie.

In reading of Dennis's life and speaking with his family members, it was clear he had a positive impact on the lives of everyone around him. He was a leader, a family man, an accomplished wrestler in his youth, and a champion in every sense of the word. He bravely stood up and volunteered to serve. He gave his life in defense of his family, his community, his State, and his Nation. For this we owe him and his family a great debt of gratitude.

Dennis will be missed each and every day. But the strength of his character and the courage he demonstrated through his service will live on.

□ 1915

TRIBUTE TO THE HONORABLE ROBERT WEXLER

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, today ends the first year of the 111th Congress, a Congress that's done much to try to preserve this country's economic security, improve its place among the nations of the world, worked against the global warming problems we have, and protect our planet.

So much of what we've accomplished has been a group effort, and one of the people that's been a part of that group is Congressman ROBERT WEXLER of Florida. I was privileged to sit next to Congressman WEXLER in the Judiciary Committee. Congressman WEXLER served 13 years in this House, and today he cast his last vote and walked off this floor.

I watched him as he walked off. I was sad to see him leave because he was an outstanding Member of Congress like so many people are here who are dedicated to making this country better, working hard, speaking his opinion to try to make this country a better place. I'm proud to have served in this Congress and to have served with ROBERT WEXLER. I'm proud to be a Member of this Congress, and I want to say to ROBERT WEXLER, you've been an outstanding Congressman, and this Congress will miss you.

OUR UNCONSCIONABLE NATIONAL DEBT

(Mr. COFFMAN of Colorado asked and was given permission to address the House for 1 minute.)

Mr. COFFMAN of Colorado. Mr. Speaker, the Democrat majority voted today to raise our national debt limit by $290 billion. That vote we took today to raise the debt limit, rollcall vote 988, served as a terrible reminder of all of the votes we didn't take. The debt limit increase vote is the direct opposite of the votes we should have cast earlier this year—the votes to curb spending, the votes to cut pork, the votes for real economic stimulus, the votes for meaningful fiscal discipline.

Today our national debt is $12.13 trillion. More exactly, it is $12,134,970,556,795.04. Since January 6, 2009, the start of this 111th Congress, the national debt has increased by $1.4 trillion. I am sadly familiar with these numbers because I began to place the amount of the national debt in the CONGRESSIONAL RECORD on a daily basis since last month as a reminder to all of us. We need to stop this borrowing and spending. I urge all of my colleagues to embrace fiscal discipline.

JOBS ARE BEING CREATED IN OUR COMMUNITIES

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to indicate that jobs are being created in our communities. And if anyone thinks that the loss of 109,000 jobs in my community in Harris County has not hurt families during this season, then they need to be aware of the necessity of the various people who need work.

I'm very proud that in the Defense bill that was passed, we have created jobs. We have created a number of jobs, and those jobs have been the kind of jobs that will serve the entire community: solar jobs, $800,000; technology jobs, $1 million; Post-Traumatic Stress Disorder Center for the Riverside General Hospital that will help our local soldiers, that is $1 million.

All total, $4.8 million have been secured by the 18th Congressional District to provide jobs in Houston to ensure minority research or research on health issues, to ensure green technology jobs, to put people to work.

Mr. Speaker, this is the beginning of a great day when we provide jobs for the 18th Congressional District and all of America. Merry Christmas to my constituents, as I've said, and Merry Christmas to our first family and all that they have done for America.

WHO DAT!

(Mr. CAO asked and was given permission to address the House for 1 minute.)

Mr. CAO. Mr. Speaker, the New Orleans Saints are having an historic season. Their success has provided our city so much hope that I wanted to give constituents a chance to honor them.

Today's statement is from Michael DesJardins of New Orleans. Michael writes:

"I believe! Finally. It's been 40 or so years of hope and disappointment—much more disappointment. As I bask in the glow of another victory by the Saints, I have finally let my heart believe that this could be the year. They have the spirit, the talent and the determination. They seem to like and support one another. Their success is not a product of stardom but of common effort by the whole team. They have transformed the Saints into a powerful organization that lifts up the whole community. We can all learn from them.

"Long-suffering, leading to hope, only to be dashed by the heartbreak of defeat and disappointment. This story of the Saints' past could be the story of our city government.

"Our Sainted team has been transformed into a constellation of bright shining stars. Dare we believe that New Orleans can share in that transformation?"

Thank you, and I yield back. Who Dat!

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GARAMENDI). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CREDIT IS FROZEN IN THIS COUNTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the job market is bleak. A major reason is that bank credit is frozen in this country still. Business can't get loans to hire and function. The Federal Deposit Insurance Corporation reports that lending has declined for the last five consecutive quarters.

This chart amply demonstrates that. It was in the Washington Post yesterday.

Credit in the real banking sector has dried up. I'm not talking about the political TARP bailout fund banking sector being managed by Treasury. I'm talking about the impact of that on the rest of the banking system where credit is simply not being lent across this country. Businesses are clamoring to get loans, only to be rejected from coast to coast. The normal banking sector is not functioning. TARP destroyed over $600 billion of real bank capital as the Treasury moved itself into the driver's seat of picking winners and losers. Wall Street banks literally, and the way they've been handled, have blunted real economic recovery as businesses cannot get loans to conduct their affairs, to hire new employees, to pay current employees or buy equipment because they simply don't have access to credit.

Sadly, what's happened over this period of time is our local banks and the non Big 5 banks in the country have tried to compete in this economy. The Big 5—the ones that got the TARP funds from the taxpayers—have gone from holding 30 percent of the deposits in this country to 40 percent. They're getting bigger, which means it's even harder for the other thousands of banks across this country to compete.

Our financial system started seizing up after TARP was passed when normal banks refused to lend to each other in overnight transactions, and this has just gotten worse ever since. They lost confidence in the banking system itself.

So, where does small business go to get operating loans? The Washington Post gave us a little insight on that yesterday, and I wish to place that article in the RECORD. Some of what it says is:

''The administration's options continue to be constrained by the belief of many officials that meddling in the details of banking is counterproductive.''

Well, what do they think the TARP is? It's ultimate meddling. It's total meddling. And, in fact, it prevents normal lending from being restored as banks across this country see that some banks get a special deal if they go to the Treasury and others get thrown aside or merged. A lot of those big banks have used the money to buy other banks, making our banking system much less competitive, much more concentrated.

While the White House has raised the temperature of its rhetoric in recent weeks about what's going wrong, their policy measures simply have not followed. Indeed, they extended the TARP for another year.

Now there are some activists across this country calling on the President to do much more. One of them, Reverend Jesse Jackson, left a meeting in Atlanta on Monday with ministers and others who are facing foreclosure even on their churches and homes. The Reverend Jackson, as the article reports, called on President Obama to use future Federal fair lending laws to force the banks to help struggling communities. He said, and I quote, ''Banks got Federal money at zero interest, but homeowners and churches are paying pre-TARP prices for their losses. The banking system must be made accountable. The Attorney General should have been in that meeting as well.'' I agree with Reverend Jackson.

''The banking industry,'' the article says, ''has reduced lending''—as this chart demonstrates—''for five consecutive quarters, even as it has regained profitability thanks to vast public aid from the people of the United States. The amount of money on loan from banks fell by about $600 billion, or 7.2 percent, from September 2008 to September 2009, according to the Federal Deposit Insurance Corporation.''

□ 1930

This is not a recipe for economic recovery, not in the real economy. This is the second time the President has convened bank executives to urge their increased lending. The first was in March. But you know what the article says, it did little to slow the slide.

There are two actions that immediately could make a difference. One deals with the President meeting with the Securities and Exchange Commission and the Financial Accounting Standards Board and looking at mark-to-market accounting, which has destroyed over $600 billion of capital in our financial system. Credit is frozen. The very banks we have bailed out have decreased their lending over these five quarters that I've talked about, and Treasury, who is in charge of the TARP, literally is picking winners and losers.

We need reform of mark-to-market accounting, and we need somebody in the administration to look at the Making Home Affordable program to make sure that we allow people to remain in their homes so we don't have increasing foreclosures, particularly over these winter months. The problem is that they can't see the forest because the big trees, the big five, are blocking their view of what is happening across this country.

[From the Washington Post, Dec. 15, 2009]

IN WHITE HOUSE MEETING, OBAMA CALLS ON BANKS TO INCREASE LENDING

(By Binyamin Appelbaum and Michael A. Fletcher)

President Obama exhorted the nation's biggest banks on Monday to make ''extraordinary'' efforts to increase lending, even as some of those firms are racing to distance themselves from government control.

The nation's most powerful bankers sat in the Roosevelt Room at the White House and nodded as the president spoke, but some executives and industry officials said afterward that increasing lending is largely beyond their ability.

Meanwhile, Citigroup and Wells Fargo announced plans Monday to spend billions of dollars—not on lending, but to repay federal aid. Citigroup chief executive Vikram Pandit missed the White House meeting to rally investor support.

Bank executives say they itch to make profitable loans, as many as possible, but are struggling to find qualified borrowers. They also say that the administration is asking for increased lending even as it pursues financial reforms that will limit the ability of banks to make loans.

Some note that a recession caused by an orgy of lending must be solved in part through greater restraint.

Obama has come under increasing pressure to demonstrate his concern for the plight of Americans caught in a rising tide of joblessness, even as the larger economy appears headed to recovery. The White House portrayed Monday's meeting as a chance for the president to channel the anger of Americans who think federal programs intended to revive the broader economy have succeeded only in restoring Wall Street's profitability.

''America's banks received extraordinary assistance from American taxpayers to rebuild their industry,'' the president said after the meeting. ''And now that they're back on their feet, we expect an extraordinary commitment from them to help rebuild our economy.''

Obama added that he expects not just effort but ''results.''

Some administration officials privately conceded that borrowing always declines during recessions, and that they are struggling to find effective ways of spurring new lending. Furthermore, the administration's options continued to be constrained by the belief of many officials that meddling in the details of banking is counterproductive.

The administration also is surrendering a measure of leverage over the industry as banks repay federal aid provided under the Troubled Assets Relief Program—although officials are eager to shed the political baggage of aiding big Wall Street firms. With the announcements Monday by Citigroup and Wells Fargo that they would repay federal aid, all of the nine major banks that got money late last year will be on track to pay it back.

As a result, while the White House has raised the temperature of its rhetoric in recent weeks, policy measures have not followed.

Some activists are calling on the president to do more. Just after leaving an Atlanta meeting Monday with ministers and others, some of whom are facing foreclosure on their churches and homes, the Rev. Jesse Jackson called on Obama to use federal fair-lending laws to force the banks to help struggling communities.

''Banks got federal money at zero interest, but homeowners and churches are paying pre-TARP prices for their loans,'' Jackson said. ''The banking system must be made accountable. The attorney general should have been in that meeting.''

The Congressional Black Caucus and other Democrats, who are concerned that administration efforts to slow foreclosures have come nowhere near meeting their stated goals, have also been pressing for additional steps to help distressed homeowners.

The banking industry has reduced lending for five consecutive quarters, even as it has regained profitability thanks to vast public aid. The amount of money on loan from banks fell by about $600 billion, or 7.2 percent, from September 2008 to September 2009, according to the Federal Deposit Insurance Corp.

The White House initially portrayed the meeting with bankers as an opportunity to discuss strategies for increasing lending. But the president set a sterner tone over the weekend, telling the CBS show ''60 Minutes'': ''I did not run for office to be helping out a bunch of fat-cat bankers on Wall Street.''

One day later, the president was more temperate, saying that he did not intend to ''vilify'' any company or industry and that he appreciated existing efforts to increase lending, such as reviewing rejected applications to see whether loans can be approved. The president suggested Monday that banks should review applications three and four times if necessary.

Bankers also emerged from the meeting in a conciliatory mood, saying they share the administration's goals.

''Every bank in that room talked about adding many, many small-business originators and setting very aggressive goals for small-business lending next year,'' said Richard Davis, chief executive of US Bancorp.

Bank of America plans to increase small-business lending by $5 billion next year. J.P. Morgan Chase has committed to an increase of $4 billion.

''This is simply what a bank should do,'' J.P. Morgan chief executive Jamie Dimon said in a statement released before the meeting.

This is the second time the president has convened bank executives to urge increased lending. The first meeting, in March, did little to slow the slide. The president said Monday that he continues to get ''too many letters from small businesses who explain that they are creditworthy and banks that they've had a long-term relationship with are still having problems giving them loans.'' But the White House on Monday defended the value of the rhetoric.

''I think that the bully pulpit can be a powerful thing,'' said press secretary Robert Gibbs.

Obama said he also discussed the need for financial reform, urging the bank executives not to lobby against proposals such as the creation of an agency to protect borrowers from lending abuses. And the president said he once again urged moderation in executive compensation.

''I made it clear that it is both in the country's interest and ultimately in the financial industry's interest to have updated rules of the road to prevent abuse and excess,'' Obama said afterward. ''I have no intention of letting their lobbyists thwart reforms.''

Bank executives, however, say that they strongly favor reform—they just differ with the administration about some of the particulars.

The guest list for the meeting included the top executives of 12 of the nation's largest banks, but there were three late scratches. Goldman Sachs's Lloyd C. Blankfein, John Mack of Morgan Stanley and Citigroup's Richard Parsons participated in the meeting by telephone because the flight all three had planned to take from New York to Washington was delayed by fog.

AMERICANS MAKE THIS COUNTRY GREAT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, at the close of 2009, as we look to and prepare for a new year, I'm prompted to call attention to the remarkable American people who have, once again, weathered a difficult year with dignity and toughness. Sometimes the Washington establishment forgets that the solutions to America's problems lie outside this capital city.

Yes, Americans from almost every walk of life are tightening their belts and making due with less this year, but Americans continue to be an extraordinarily resourceful people who inspire me in my work every day.

As we prepare to celebrate Christmas, entering in a new year, I hope we can all draw inspiration from the American people. We live in a Nation of innovators and hardworking entrepreneurs. Their resourcefulness is unlimited. The spirit of American opportunity lives and thrives among them.

And let's not forget the North Carolinians who, with their characteristic generosity and work ethic, illustrate the greatness at work in America, even in seasons of considerable difficulty. I look to them as a source of inspiration and hope. People like those who call North Carolina home have always been the best hope for the preservation of our tradition of individual liberty and government by and for the people, whether in good times or bad.

Mr. Speaker, Washington would do well to stop and watch, listen, and learn from everyday Americans as they go about their lives and do the things that help make our Nation great.

May God continue to bless us all.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AMERICANS WANT THEIR COUNTRY BACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Mr. Speaker, as we end the month, the year, the decade, this session of Congress, some observations:

Fifteen million Americans are unemployed. We have 10 percent unemployment and higher throughout the United States.

Spending is totally out of control. The country is broke, so we borrow money from China and Japan, and it seems they own our Nation. And the taxacrats have not seen a tax bill they didn't believe in.

Domestic policy is simple: Spend money, spend money we don't have, then borrow it, and then raise taxes on the American people.

The government's financial system is also simple: If it moves, tax it; if it keeps moving, regulate it; and if it stops moving, then subsidize it. Today we raised the debt ceiling so more money can be spent as soon as we get back in January. Now we're over $12 trillion in debt.

The House has turned our Nation's health care over to the government. You know, the government who tried to run a health care vaccine program that was a total failure, where school kids didn't get the vaccine while Wall Street fat cats did. And yet the Federal Government wants to now run America's health.

The House voted on a cap-and-trade tax bill that will add a tax on energy consumption for all Americans and punish energy consumption and encourage domestic oil producers to go somewhere else.

Congress has given more money away to foreign countries that hate us while ignoring problems at home.

Many Members of Congress have already left on planes, headed to Denmark to talk about how we must control the climate because man is the evildoer and scourge of the Earth. Of course, the Al Gore warmers have been caught this year hiding data that shows reasonable minds disagree with their theory of global warming. Plus, the warmers want to force Americans to spend millions of dollars to implement changes on their yet unproven theories.

The government, in essence, has taken over Wall Street, the financial industry, the automobile industry. You know, General Motors needs to change its name to Government Motors. The Federal Government has taken over the mortgage industry, the banks, and the salaries of some executives.

More American freedom and liberty has been stolen from us, and more assaults on the Constitution have occurred than at any time in our history. And today, the radical open border crowd has announced new legislation, arrogantly demanding amnesty for millions of illegals in this country with, also, visa preferences for those nations with the most foreigners in the United States. So much for border security.

We have a new military strategy that's implemented. It's called the surge and retreat plan. That strategy is in Afghanistan where we're going to surge and send a bunch of troops in, but yet in 18 months, according to the administration, they're coming home. No strategy like that has ever been used in military history before.

And of course Gitmo, down there in Cuba where we house terrorists, it's getting a new ZIP Code. We're moving it to the United States and putting it in Illinois. And of course the country has seen that we've prosecuted our Navy SEALs and given rides to terrorists.

What an odd year it's been. It is the arrogance of power that says government is the answer to everything. Our lives, our fortunes, and our sacred honor have been turned over to government opportunists. Reagan said that government is the problem, not the answer, and I agree with him.

But, Mr. Speaker, not all is gloom, doom, and despair. There is great hope. The American people are not fooled. People in our country now fear the government, and people are mad, and people are involved. And even though the D.C. crowd pays no attention to them, I've got news for the elites: The people are not going away in the darkness of the night. They will not give up without a fight, because the American cause is righteous, and the people's actions are just.

Government should not underestimate the American soul and the American spirit. They are a force to be reckoned with. Mr. Speaker, the people want their country back, and they will get it back. After all, the Constitution says, ''We the People,'' not, ''We, the subjects.''

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. POLIS) is recognized for 5 minutes.

(Mr. POLIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING SPECIALIST MICHAEL COTE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. CASSIDY) is recognized for 5 minutes.

Mr. CASSIDY. Mr. Speaker, this may be the last address given on the floor of the House of Representatives this year. It is fitting that it is a tribute to Michael Cote, a specialist who gave his life while fighting to defend us in Iraq.

Specialist Cote was from Denham Springs, Louisiana. After graduating from Denham Springs High School, he met his wife, Ashlee, when the two were in basic training. They passed notes back and forth during their training and snuck off to church services to be together on weekends. Just days after basic training ended, the two soldiers were married.

Michael was serving in Iraq when their daughter, Brooke, was born in March, but he found a way to be on the phone with Ashlee during the delivery. She delivered in Baton Rouge.

Ashlee tells me that Michael liked to fish and hunt. She says he was an all-around country boy who liked to goof around but always knew when it was time to be a soldier.

Michael was serving as a crew chief when his Black Hawk helicopter went down in Balad, Iraq, in September.

On the day of his memorial service, the people of Denham Springs lined the streets to wave American flags as the procession went by. Families brought their children and grandchildren out to honor Specialist Cote, a tribute to a man friends and family in Denham Springs say they knew would grow up to be a soldier.

His mother, Carol Bass, tells me that she visits the grave daily.

Mr. Speaker, we mourn with Ashlee, Brooke, and Mrs. Bass the loss of Specialist Cote, but let us celebrate his patriotism, his dedication to country, his sacrifice on behalf of our security.

We are forever indebted to the men and women of our armed services, soldiers like Michael Cote, who put themselves in harm's way so that we may live freely and in peace.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. DEAL) is recognized for 5 minutes.

(Mr. DEAL of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REFLECTIONS FROM 2009

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, in the rush of a debate in an earlier 1-minute, I was not able to capture the somberness of the moment. As our colleagues have finished their work and have, in fact, recognized the need of this Nation, I think it is important to summarize how important it is to keep our minds focused as we return back in the new year.

We know that this country is a resilient country. People are tough, and they've gotten tougher. We are blessed by the fact that we have a country of laws. We're a democratic Nation. If there is oppression in our Nation, we have a court system to seek to be redeemed. We have the amenities of life, technology, transportation, clean water. But in every country comes a time when things are not as good as they need to be, and I think we should clarify what has been done over these last couple of months.

I was here during the past two Presidential terms. When I say ''two Presidential terms,'' the past and former Presidents. I voted for the 1997 Budget Reconciliation Act that generated an enormous surplus and created an opportunity for millions of our children to be insured. That was 1997. We had a surplus as that previous administration, the Clinton administration, left office.

We had a tragedy on 9/11, and we had to respond to that enormous tragedy, a terrorist act, and I joined with my colleagues to respond to that by allowing our Nation to defend itself by going into Afghanistan. I did not support the detour into Iraq. However, I support the men and women, and I mourn for those families who have lost loved ones.

So what have we done over this year? We have fought for America, and that is why there was the political sacrifice. Some people say that's your job, to vote for the TARP—not willingly. We didn't want a fat-cat bill. We didn't want a bill that paid people to stuff their pockets. We wanted to ensure that businesses stayed open, that we had the opportunity for small businesses, my friends and neighbors, my constituents to get money to keep those jobs.

All right, it wasn't perfect, but the numbers don't fib. We did create jobs. We kept businesses open. The President has gone to the mat by saying to these fat cats, Look, we are in a capitalistic system. I understand that. But he's gone to them and said, You have to lend to small businesses.

□ 1945

Mr. Speaker, we have done a lot. And in doing a lot, we have provided the opportunity for the kinds of dollars coming to the districts.

So let me just say this: $48 billion in highways, transit and other infrastructure. We are going to be able to stop the bleeding by keeping our teachers, our police, our firefighters and job training. That's $27 billion. We are going to guarantee the loans, guarantee loans to ensure that we will have the opportunity to loan money to our small businesses. That's an important statement.

And I wanted to be sure by looking at what I have to let my constituents know of the kind of projects that come out of the Defense bill. Because someone would make the argument, why support a Defense bill? Let me tell you. I've already spoken about the first post-traumatic stress disorder center in an African American hospital for $1 million, $800,000 for the Center for Research on Minority Health-Prostate Cancer research project, jobs; $800,000 for high-efficiency solar energy generation and storage, jobs; $1.6 million for science, technology, engineering and mathematics initiative, jobs. And then $1 million with a private collaborator that is independent of Federal dollars that will give $1 million to one of the poorest school districts in my community, public and private partnership, Mr. Speaker.

Let us not leave this place in shame. We came from the deep darkness of an economic recession. We have saved jobs. We are creating jobs. We are moving forward. And I want to stop reading articles about mothers who are on the front pages of our newspapers who cannot turn on the lights and cannot feed their children.

Let me wish everyone, again, as I have done, a happy holiday and say that this Congress deserves the recognition for those who have put themselves on the line to be able to help the needy. I look forward to us coming back, passing health care, and going on with the jobs effort.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

(Mr. PAUL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GRAYSON) is recognized for 5 minutes.

(Mr. GRAYSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REVISIONS TO THE ALLOCATIONS AND BUDGETARY AGGREGATES ESTABLISHED BY THE CONCURRENT RESOLUTIONS ON THE BUDGET FOR FISCAL YEAR 2010 AND THE PERIOD OF FISCAL YEAR 2010 THROUGH 2014

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under sections 421(a)(4) and 423(a)(1) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit for printing in the CONGRESSIONAL RECORD a revision to the budget aggregates and allocations for certain House committees for fiscal year 2010 and the period of fiscal years 2010 through 2014. These adjustments respond to House consideration of the House amendment to the Senate amendment to the bill H.R. 3326, Making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes. Section 1011 of the House amendment includes funding for Medicare improvements. The House amendment also designates certain funding for overseas deployments and other activities pursuant to S. Con. Res. 13. Corresponding tables are attached.

This revision represents an adjustment for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act of 1974, as amended, this revised allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

Any questions may be directed to Ellen Balis or Gail Millar at 226–7200.

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal Year 2009	Fiscal Year 2010	Fiscal Years 2010–2014
Current Aggregates: [1]			
Budget Authority	3,668,601	2,882,149	n.a.
Outlays	3,357,164	3,002,606	n.a.
Revenues	1,532,579	1,653,728	10,500,149
H.R. 3326 (Department of Defense Appropriations):			
Budget Authority	0	0	n.a.
Outlays	0	−1,579	n.a.
Revenues	0	0	0
Revised Aggregates:			
Budget Authority	3,668,601	2,882,149	n.a.
Outlays	3,357,164	3,001,027	n.a.
Revenues	1,532,579	1,653,728	10,500,149

n.a. = Not applicable because annual appropriations Acts for fiscal years 2011 through 2014 will not be considered until future sessions of Congress.

[1] Current aggregates do not include the disaster allowance assumed in the budget resolution, which if needed will be excluded from current level with an emergency designation (section 423(b)).

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(a) ALLOCATION

[In millions of dollars]

	BA	OT
Current allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,219,652	1,377,618
H.R. 3326 (Department of Defense Appropriations):		
Changes for overseas deployment and other activities designations:		
Fiscal Year 2009	0	0
Fiscal Year 2010	0	−1,579
Changes for Medicare improvements:		
Fiscal Year 2009	0	0
Fiscal Year 2010	1,240	1,240
Revised allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,220,892	1,377,279

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal years, in millions of dollars]

House Committee	2009		2010		2010–2014 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Current allocation:						
Ways and Means	0	0	6,840	6,840	37,000	37,000
H.R. 3326 (Department of Defense Appropriations):						
Ways and Means	0	0	−1,240	−1,240	−1,030	−1,030
Revised allocation:						
Ways and Means	0	0	5,600	5,600	35,970	35,970

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

(Mr. MCCOTTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROYCE) is recognized for 5 minutes.

(Mr. ROYCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

JOB CREATION THEORIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60

minutes as the designee of the minority leader.

Mr. AKIN. Mr. Speaker, it's a treat to be able to join you and my colleagues and fellow Americans that might possibly be tuned in. This is a bit like the last day of school. We think the voting is done for this year, and yet the work is not done. In fact, America, among other things, is suffering from a considerably high level of unemployment. And that was going to be the topic for this evening.

I want to talk a little bit about employment, spending and the different theories that people have as to how jobs are created. And there are some theories out there that don't work very well, and there are some that do work well. And history tells us the difference between the two.

I thought what I might do this evening would be to start with something which, in a way, may seem remedial. It should seem fairly basic because most Americans have plenty of common sense. And I think that it's important, though, to start at the basic level and start defining your terms as we talk about the problem of unemployment.

Now, there are certain series of things, I have identified six—there may be other ways economists might look at it differently—but there are six things that are job killers. To start with, we need to understand where jobs come from. Jobs come from businesses. What sort of businesses? Well, if you take a look at businesses that have 500 employees or less, those businesses employ about 90 percent of the Americans that have jobs in the private sector. Five hundred or less employees, those, many people would say, are small businesses.

Well, what are the things that these small businesses need in order to create these jobs, 90 percent of the jobs in America? Well, the first thing is that there are certain things that are killers of jobs. The first is economic uncertainty. Let's talk about that for just a minute. Economic uncertainty. Put yourself in charge of a business. Say you have 100 employees and you're manufacturing some product, and you just really don't know what's going to happen with the economy. And so there is a level of uncertainty. Maybe political things are going on which increase your level of uncertainty. You don't know whether or not perhaps we are going to go into some kind of economic slump.

And so what are you going to do if you are a president of a small business? Well, what you're going to do is, in the State of Missouri, they call it hunkering down. You say, I'm not going to take a lot of risks; I'm going to prepare for some sort of an economic storm, or at least be prepared that I'm not too extended. I don't want to take a lot of risk when there is economic uncertainty.

And what sort of risks might those be? The risk might be to add a wing on your building, to buy a new machine, to start a new process, to patent a new invention and decide to try to produce it and sell it on a market. All of those things create jobs. But you're not liable to take a high-risk position if there's a high level of economic uncertainty. So economic uncertainty is a job killer.

The next thing is consumption reduction. That's a fancy word for saying you got a business slowdown. People aren't buying as much stuff. Everybody is worried. People are having a hard time economically. They are not spending as much money. People aren't making investments, and so your business is going along with all the other businesses around you, when you are in a time when there is a recession going on, it's an economic uncertainty. It's a form of economic uncertainty, I suppose, and that is you're thinking, hey, it used to be last year we had orders for 100 widgets. But this year, it looks like we are only getting orders for 50. So you're not going to be thinking about getting a machine that will make widgets more efficiently. You're not going to be thinking about making investments in adding to the building so you can increase production because you're expecting that you're going to sell less this year than you did because of the fact that there is a slowdown in the economy. So a slowdown in the economy tends to affect businesses and therefore affects jobs. Pretty much common sense, I think.

And then excessive taxation. How does that hurt jobs? Well, here is the deal. You're, again, the president of a business. Maybe you have 100 employees. And you find out, all of a sudden, that your taxes are really going up. Now, if you have a lot of taxes, that means you don't have very much choice, you're going to have to pay those taxes. What is the tax going to be paid with? Well, it's going to be paid with the money from your company, from the profits and the proceeds of the company that you have.

And, hopefully, you have 100 employees, you're paying them, you're selling product, and you're selling product for more than it costs you, and so you're making some profits, and you're pocketing those profits. But now you understand that there's going to be a whole lot of taxation coming down the pike.

So one of the things that taxation is going to do is take money away from the guy that owns the business. And when you do that, he doesn't have the money to spend on adding additions to the building or perhaps taking a risk on introducing new products or maybe even inventing some different ways of doing things. And so the taxation takes the place of investment that would normally be made in the company. When that investment is made, that usually results in hiring more people. But the hiring more people isn't going to happen if you have excessive taxation.

In fact, we have found historically that if you drive the business owners with enough taxation, you can not only stop job creation; you can stop the whole business and bring it into bankruptcy and destroy the engine that creates jobs. So excessive taxation is a big factor in killing jobs.

Another thing is insufficient liquidity. Now, that sounds like a fancy thing. There's nothing too fancy about it. The fact is that businesses need money to run on, just like the engine in your car needs oil. And what happens is the business, let's say it's a machine shop, decides that they want to buy a new piece of equipment. That new piece of equipment is going to cost them $5 million. Well, you have got your machinists there in your company, but you don't have any $5 million to buy this new piece of equipment; but you figured out that if you had that piece of equipment that in a matter of 2½ or 3 years, you could pay for the whole piece of equipment just by the kinds of products that you could make on it so you can say, hey, this is a great investment. I can pay this off relatively quickly, but I don't have that million, couple million, dollars to buy this new piece of equipment.

So what do you do? Well, you're going to have to go out and a get a loan. And when you take a loan, you're going to pay interest on that loan. But then you get that piece of equipment in, and it's running just beautifully for you. You get all those orders, you make these parts, and pretty soon you pay off the piece of equipment.

How did that happen? It happened because you were able to borrow money, which people call liquidity, and you can borrow money and get that tool or whatever it was. When you did it, you hired a few people to run the new piece of equipment and, of course, you created jobs.

If you do not have that liquidity, if you can't borrow money that you need, then what happens? Well, then you can't buy the new pieces of equipment. And guess what? You're killing jobs or the potential for creating jobs.

Another thing is excessive government spending. Oh, now wait a minute. Now, how can the government spending affect jobs in America? Well, it turns out that there is an effect indeed. And what it is is when the government spends a lot of money, it has to get that money from somewhere. Guess where the money comes from? The private sector. Where does the money come from? From taxes. And so as the government tries to collect more and more money to appease its appetite for spending, what happens is that affects liquidity, and it plays out as taxation. And so as the government does a whole lot of spending, you find that it tends to kill jobs.

Now, it may not appear to kill jobs in the short term. If the government does a whole lot of spending—let's just say the government decides to spend $150 billion. We just decided to do that a few hours ago here on the floor, $150 billion for ''son of stimulus.'' This is

stimulus Jr., mini-stimulus, $150 billion stimulus, still real money to most people, and real money to the U.S. Government, although you wouldn't know it by the way we spend it. Today, by the way, we did a pretty good job of spending money. We spent about $1.1 trillion today, but mini-stimulus was just $150 billion, still a lot of money.

And that government spending, let's say you go out and hire a whole lot of people. Well, wouldn't you create jobs, Congressman AKIN? Well, you would in a temporary sense. You could put some people on a government payroll. But what economists have found is that when you temporarily hire someone from the government, what you're doing is you're taking money out of the economy through this government spending.

In fact, what happens is for every one job you create in government, you're taking 2.2 jobs out of the private sector. So it's one of these things where it may seem like you're doing well. It's a little bit like drinking salt water. You're getting a drink, but the salt makes you even more thirsty than you were before. So it's kind of very much a losing proposition when you start to get into this excessive government spending.

And then the other thing, of course, is excessive government mandates and red tape. We have a picture here that my staffer found of some poor CEO buried in red tape, all kinds of memos, pieces of paper, and all kinds of regulations. I think that your common sense will show why this is a problem, because let's say particularly you're a small business. Well, you have a certain number of employees. Those employees, you have them working right away, making product that you can sell because you have a clean, lean and efficient process. And you don't have very many people that are management people, just a few people to try to keep an eye and organize things and get some orders in the door.

And all of a sudden, somebody from the government knocks on your door, knock knock knock, and says, hey, you didn't fill out such and such form. And somebody else knocks or calls and says, you didn't fill out this form. You didn't fill out this form. Did you do this? Have you applied for this? Did you get this? And pretty soon, you have all kinds of employees. And what do they produce? They produce paperwork. Paperwork for whom? For the government.

And so if you get more and more red tape and excessive mandates, obviously that is one of the things where you may seem like you're creating jobs; but in effect, you're making the business less efficient so it cannot grow and really put those good producing jobs on to the payroll.

□ 2000

In a sense, those are like excessive government spending because they're really government jobs that in fact tend to get rid of the actual productive private.

So all of these things, all of these conditions kill jobs. So if the Federal Government wants to create jobs—first of all, we have to understand something: The Federal Government can't create jobs. The whole concept of stimulus is a false assumption. The only thing the Federal Government can do is create the conditions so the people in the private sector can create the jobs. We can create an environment that is helpful in producing jobs, but the Federal Government, when it tries to hire people, all that does is take jobs away from the private sector. So all of these things are job killers.

So let's go in a more positive light and say, well, what do you do to create jobs? Well, just the reverse of these things, and that will tend to create jobs. In fact, you might even have some trouble in a couple of areas, but you're doing very well in some other areas, and you could create some jobs.

This whole bit about the problem with unemployment in America is not really that complicated when you understand that the jobs come largely from these 500-employee and smaller size companies, and that they're created by the fact that those companies and the owner of those companies have enough money they can invest in their company and can do the new processes, innovation and the ideas that Americans are so great in doing. That's what makes the economy strong, and that's what makes jobs.

Now, we have here a cartoon. We have the President here speaking to a small businessman, and the President is saying here, Now, give me one good reason why you're not hiring? And what do we have coming into the china shop? Well, we have three big bulls: One is the health care referendum; there is cap-and-trade, or cap-and-tax; and then another is a war tax. Well, the point here in a cartoon form, obviously the bulls are not going to have a good influence on the china shop. And the President doesn't seem to get what's going on with the businessman. He's not looking too excited about a good reason for why you're not hiring with these guys coming in the door.

Now, let's take this back to what we were just talking about, health care reform. Health care reform was going to introduce probably, at a minimum, $1 trillion worth of spending, or close to it. So what happens if the government does a whole lot of spending? Well, they're going to do a whole lot of taxing. Guess who is going to be taxed with several different types of taxes to pay for socialized medicine? Well, it was going to be the small businessman.

So now what have you done relative to our chart here when you have the Senate—and the House has already passed this $1 trillion socialized medicine bill that has all these mandates on small business—what have you done in terms of jobs when you pass this socialized medicine? Well, first of all, you are creating economic uncertainty, because the bill hasn't passed. We don't quite know what's going to happen. So there is uncertainty. There is also the slowdown in the economy, which of course is not helped by a tremendous level of spending and debt.

Excessive taxation. Of course the taxation in the socialized medicine bill is going to fall very heavily on these small business owners. If you take their money away and force them to provide all this health care, they're going to have an incentive, one, to get rid of employees, because they can't afford them anymore because the health care is so expensive for them. So they're going to figure out ways to get rid of employees, not hire them. And what they're going to do, because of the excessive taxation, is they're not going to be investing in new equipment. So it's going to be a job killer. That was what one of these bulls is.

And then cap-and-trade, or cap-and-tax here, bull number two. That, of course, is the large tax that was going to be part of the solution to global warming. And we're going to talk about that a little bit too, but that also had a very, very large tax associated with it. Not only did it have a very big tax to increase the cost of energy, it had a very large tax in terms of red tape. In fact, I suppose that the red tape and the amount of additional Federal authority to regulate anything in the energy area, including even how individual American citizens' houses are built—that is, building codes at the Federal level, building codes regulating how you build your house and whether it has the proper carbon footprint or green footprint all in this bill with not only the largest tax in history, but also a great deal of red tape.

These are all things that hurt jobs. And so should we be surprised that we're getting a high level of unemployment? We should not be surprised. We are breaking all the basic laws.

Here is the first stimulus bill. We were told last spring—late spring and early summer—that we needed to pass a $787 billion stimulus bill. And what was the idea of the stimulus bill? The idea of the stimulus bill was that government is going to spend a whole lot of money, and by spending money, the economy is going to be better. Now, that entire premise is suspect. If the economy was going to be better by us spending money, we would have one of the most robust, healthy economies in the whole world. We wouldn't have any unemployment. We would be going gangbusters if Federal spending was the thing that was going to make the economy good.

But most people with a little common sense, if your family budget is in trouble, the thing you're going to do is not run down to the local store with your credit card and stack up a whole lot of debt and spend like mad—unless you're a little bit nutty or had too much to drink.

But anyway, we were told that the thing to do is we've got to pass this

$787 billion stimulus bill. And we were told, if you don't pass it, do you know what's going to happen, America, and you, Congressmen, that are representing Americans? If you don't pass this stimulus bill, you may see unemployment go up to 8 percent if you don't pass this stimulus bill.

So this is the President's forecast of what's going to happen if we pass this stimulus bill right here. You see this is 8 percent unemployment, and he says we're going to keep it under 8 if you just get this $787 billion into our hands to spend. Without the stimulus, he said, this is what's going to happen; if you don't pass the stimulus, it's going to do this:

First, the red line here is what has actually happened. Is this red line a surprise? No, it wasn't a surprise at all. I stood here on this floor 6 months ago with similar charts and said this stimulus isn't going to work. Is it because I'm very smart or brilliant? No, it's not at all. It's simply because I know a little bit about history. I know what will and I know what will not work.

If the Democrats had known something about history, they would have, at a minimum, learned something from a fellow Democrat. This Democrat's name was Henry Morgenthau. He was Franklin Roosevelt's Treasury Secretary, and he appeared before the House Ways and Means Committee, right here in Congress, in 1939. Now, we have some old people in Congress; not too many people probably remember Henry Morgenthau, but they could know something about history and about Franklin Delano Roosevelt. And here is what Henry Morgenthau said: After 8 years of spending money on this—it's called Keynesian economics. Henry Morgenthau was a close buddy and associate of little Lord Keynes—he was a strange little fellow, that British man—and came up with this idea that we could stimulate the economy by spending money. And so they went at it, hammer and tongs, stimulating away, spending lots of money.

At the end of 8 years, this is how well it works: Henry Morgenthau appears before the House Ways and Means Committee: We have tried spending money. We are spending more than we've ever spent before, and it does not work. That's pretty straightforward English, we've been spending money, more than we ever did before, and it doesn't work. I say, after 8 years of the administration, we have just as much unemployment as when we started, and an enormous debt to boot.

And so it's not rocket science to see that this idea of spending $787 billion that we don't have, it's not rocket science for us to be able to stand here 6 months ago and say, hey, we hope it works, but it's not going to work. It has never worked in history before; it's a lousy solution, it's going to make the problem worse. We said all of those things. Dozens of people stood on this floor and said those things. And it's not because they're so smart, it's just because we understand the basics of what it takes to make jobs. And the thing that kills jobs is too much government spending.

Now, I will say about the stimulus bill that we put in place, it would have made Henry Morgenthau very uncomfortable, because it wasn't even traditional, old-fashioned stimulus. Old-fashioned stimulus is like making highways or building hydroelectric plants or hard job creation. This thing was more an expansion of wealth here. It was giving money so that organizations like ACORN could apply for community organizing, and a lot of things that really were never going to create jobs in the first place, or if they were, they were government jobs. And those things, the result has been, look, we've got unemployment; by the time you get into the latter part of this year, up in excess of 10 percent, not 8 percent, but 10 percent unemployment. And that's not a big surprise.

And so today, what did we do? We passed mini-stimulus, little brother to big brother stimulus. This was only, instead of $787 billion, $150 billion today. And did we learn anything from our experience? No, nothing at all, apparently. I think it was Einstein who said that if you repeat the same thing over and over again expecting a different result, you may just be crazy. And that's what we have done today. We came up with a junior stimulus bill, and we passed it on this floor. And the people who voted for it were the Democrats. They were a little reluctant in voting for it because it didn't work very well the first time when they did the stimulus, and they're not so confident that it's going to work again.

So, what are we looking at in terms of Obama-Pelosi spending? Well, you've got the second half of the Wall Street bailout here, $350 billion. Then you've got this economic stimulus thing that has not worked, that we said it wouldn't work, it doesn't work, it will never work, and yet they spent $787 billion—well, they haven't spent it all, they're just slopping it into other government programs. And then you've got the SCHIP, and then the appropriations, another $410 billion over there. IMF bailout—that chart is wrong, it's probably about $110 billion.

And then the House got really excited about doing some really serious spending, and they passed this cap-and-tax, which is that global warming bill. And that was—let me see what the number on that is here, get the chart turned around—that was $846 billion. The reason on this chart that that's a little hazy is because the Senators weren't brilliant enough to go along with this $800 billion cap-and-tax or cap-and-trade bill. Now, this is going to extend a huge government net over the energy business, and it was probably worse in terms of red tape and government than it was in terms of its tax.

Now, the ironic thing is that I'm an engineer. And the thing about this bill that's particularly frustrating is that it doesn't appear that there is a consistency between the stated purpose and what the bill does. Let's assume for a minute that global warming is an imminent threat, it's something that we need to spend billions of dollars on that sometimes people don't call it global warming anymore because it isn't clear that the planet is warming, and so they call it ''climate change.''

But anyway, the theory runs along the lines that there are these various organic kinds of pollutants, particularly CO_2, carbon dioxide, that's the bubbles in soda pop. And the theory runs that if mankind makes enough of this CO_2—which we make by burning carbon or burning coal or burning gasoline or diesel, or whatever, we make CO_2. And if we make enough of this, what happens is the CO_2 then reacts with other kinds of effects, particularly water vapor and clouds in the atmosphere, and they amplify the effect of the CO_2, and the sun warms it up, and the climate gets hot and melts down. That's the general idea.

Now, let's just assume for a moment that that were true, and that it were a bad thing for us to make CO_2—I don't believe that that's entirely true, some of that is true, but a lot of it's not. But let's just say, for instance, that we really did believe CO_2 is a big problem and we needed to spend billions of dollars.

Do we need to give the Federal Government all this regulatory authority over building codes, how you put a wing on your house and all this kind of stuff? The answer is of course it's not necessary at all. Let's say that instead what we wanted to do was to reduce the CO_2 in America, reduce the CO_2 by the amount of all of the passenger cars that drive on the highways in America. Let's say that's our objective. Just to start with, we're worried about CO_2, we want to basically make it so that it was the equivalent, from a generation of CO_2, of turning off all of the American passenger cars on our roads in America. That would be a pretty ambitious goal. If you were worried about CO_2, that would be a pretty good place to start maybe.

□ 2015

How would you possibly accomplish something like that?

Well, the fact is you could accomplish it relatively easily for much, much less money than what is here and with much less government regulation. What you would have to do would be to simply take the coal-fired plants that produce 20 percent of America's electrical output and replace them with nuclear plants. Currently, 20 percent of the electricity in America is produced in nuclear plants. If we were to go from 20 to a little over 40 percent in nuclear generation, we would eliminate the CO_2 from effectively every passenger car in America. That is not that complicated, and the nuclear plants are pretty efficient. Over time, they would probably prove to be not much different in cost

than the coal-fired plants are, but that is the question.

Is that really the objective—to get rid of CO_2 or is it that we just want more taxes and government control? I've become a little cynical because the engineering solution to this problem is not where the legislation went in the House.

Then, of course, we've got this other thing here. It's a little bit of a sidetrack.

The bottom line is, if you make energy cost expensive and if you tax people a whole lot for energy, what is that going to do to jobs? It's going to get rid of jobs. So everything we've been doing here—everything we are doing—is killing jobs, and we can't seem to understand why the small business can't make the jobs.

Now we go on to the government health care proposal passed here on this floor not so long ago. What is the price tag on that? Well, even with a little bit of financial hocus-pocus, it is still up there in terms of $1 trillion. We spent $1.1 trillion today, but some of it was for the appropriations for the defense of our country. To add to this big socialized medicine bill, to add $1 trillion more on top of all of these other things, is going to bury our economy.

Well, now wait a minute, Congressman AKIN. Aren't you overstating your case? I mean you are a Republican, and it seems like you're bashing those Democrats for overspending. Under the Bush administration, didn't you spend too much money? Well, let's just take a look at that question.

The worst deficit of the Bush administration occurred in 2008 under the Pelosi Congress. That worst deficit was $455 billion. Now, that was a bad deficit, $455 billion. Maybe even a more effective number to ask is, What was that deficit as a percent of the gross domestic product of America? That's a way of looking at that number. That was about 3.1 percent, which is actually fairly common as you look back over a number of Presidents who did that kind of spending. Anyway, that was 2008 under a Pelosi Congress, Bush's worst spending—$455 billion.

What happened this year? Under a Pelosi Congress and President Obama, instead of $455 billion, it was $1.4 trillion. That's more than three times more than Bush's biggest spending. I wasn't fond of his biggest spending, and people who know my voting record know I did not support some of the costly elements that were there. This year, we're three times over what we were with Bush—at $1.4 trillion.

What does that do to our deficit as a percent of GDP? We go from 3.1 to 9.9 percent of our debt to GDP, which is, by the way, the highest level since World War II. So this track record here doesn't make a lot of sense—billions and trillions of dollars.

Well, what does this all mean? If you put it in context, what we're saying here is, this year, there was three times more spending than Bush's most aggressive spending. We're making Bush look like Ebenezer Scrooge with the level of spending this year.

What does that spending do? Of course it affects unemployment. It affects jobs because that spending has to come out of the pockets of American taxpayers. Some of those pockets—in fact, some of the deep pockets—are the people who own the businesses who can no longer do the innovation and make the improvements to create jobs. That is a very, very serious problem.

You have to say that this is a new era of irresponsibility, the national debt of the United States at $16.17 trillion. So, in other words, have we been spending too much money? Yeah, we sure have, but this year has been a regular budget buster, and that is of serious, serious concern. Of course, in the long term, we have the concern with Medicare and Medicaid growing over time, absorbing more and more of the budget.

There is a certain level the American economy can sustain in taxes. If you raise the taxes higher, what happens is that the economy suffers so badly that you don't actually collect any more money from the government, and that overtaxing is pointed out by a guy by the name of Laffer. He had a thing called a Laffer curve. It's an interesting idea. You think, Well, look. We really want to spend all this money because it's really good to take care of global warming and to pay for everybody and to give them all free health care with a socialized health care system, and we've got to do this because this is all kinds of additional money that we're schlepping around and giving to different people. We've got the Wall Street bailout. We've got to pick winners and losers, and so we're going to be having to spend this Wall Street.

Then as people come back and pay back some of the Wall Street, now what we're going to do is turn that money around and give it to other businesses, so now the government is playing in the private business. If we'd had a President who'd fired the president of General Motors a number of years ago, that would have raised some eyebrows, indeed.

So, when we get done with all of this, the problem is that it is creating unemployment. It's a problem of jobs. It gets back to these things here, which are just awfully simple, but they're inflexible, immovable kinds of facts, and that is when you follow the policy that we've been doing, which is, first of all, we're increasing red tape and government regulation; we're engaging in excessive government spending unlike anything that has ever happened before in our history; we have a problem—and I haven't talked about this—of insufficient liquidity. This is also a problem. We've got about a perfect storm going on for small businesses in America. Here is what has happened:

The Federal Reserve doesn't actually print money, but they call it ''printed money.'' They've increased the liquidity in America, and they did that by a factor of 10 last year. In other words, if you look at a chart of the amount of M1 money supply, it runs along, up and down like a saw tooth, and all of a sudden, we get to last year and—boom. Excuse me. I think it was the end of last year—this year—and the thing jumps by a factor of 10. So the Federal Reserve created all of this money. Boom. It printed a whole lot of it, and that's available at a very low interest rate, and the big banks have access to that.

The question is: Does all of that liquidity get down to the small business man? Because if you could get that liquidity into the hands of the small business man and if you could knock his taxation back, all of a sudden, presto zingo, you've got the formula to get the economy back chugging and churning.

It's not the government that is going to fix the economy. It's American individuals. It's the free enterprise spirit of Americans. It's the people who love freedom, who have the ingenuity, who say there's a better way to do this. I think I could do it. I think I could build my own business, and I could make a living for my family this way. These people have the courage to take the risks, to put the equipment together, to put the systems together, to put the inventions together. America grows one dream at a time. They are the people who pull us out of recessions, and it is those people who we are hurting with excessive taxation.

As to this liquidity thing, the problem now is that the small businesses can't get their hands on money at a reasonable interest rate. Here is what happened. That liquidity that the big bank has trickles down to the little bank, and the little bank gets some of it. All of these Federal regulators are running around, and the bank is saying, Man, I am not going to loan money to any small business unless I know it's a slam dunk. They're going to pay me back because I'm already skating on a very thin edge. I've got a lot of assets that my bank owns that are not too strong, and I'm afraid they're going to shut me down and that my bank is going to go out of business, so I am not going to loan money very easily to just anybody who comes down the pike. When you do come down the pike and want to borrow money, I'll tell you what: I'm going to charge you a pretty good interest rate on that money.

So what happens is the small business man is already intimidated because of the threats of all of these taxations that are coming along, and the economy has slowed down. He has got economic uncertainty. He has got a slowdown in the economy. He's getting excessive taxation. Now, I haven't even talked about all of the taxes he's facing.

First of all, the Bush tax cuts are expiring, so the death tax is coming back. The dividend tax, the capital gains tax, all of those are coming due because those tax things are expiring, and

they're coming back, resetting at a higher rate.

So the small business man sees the death tax, capital gains, dividend taxes. Now he's seeing the other taxes we talked about, which are socialized medicine, energy taxes and cap-and-trade. What other things has he has got coming? He has got these taxations coming. Now, with that, he's thinking, Oh, my goodness. I'm not too sure I really want to borrow anything.

Even if he does get the courage to borrow something because he has to, he'll go to the bank, and the bank will say, Ah. Before, I was giving you a couple percent interest on those loans. It was a 3-year, a 5-year loan for your business. Now I'm going to need to get a little more interest from you. I think about 4 or 5 or 6 percent is what I want now.

All of a sudden, the small business man, even if he qualifies and if he has a solid, strong business, it's going to be harder for him. These days, it's increasingly harder for him to get liquidity. So, aside from the taxation, excessive government spending, aside from the red tape and mandates, the economic uncertainty and the slowdown, now he's also getting hit with the problem of liquidity. This is fairly close to a perfect storm for small business. So guess what? We're not very surprised that unemployment has been going up.

Now, do we have any good news? It's always nice to have a little bit of good news somewhere. Until we fix these things or at least a number of them, you are not going to hear much about good news. People can say, Oh, the stock market is fine, and everything is going well. We've hit the bottom. Everybody looks at these things like they're cycles that repeat. It doesn't have to be a cycle. You know, FDR managed to take a recession and turn it into a Great Depression because he did the wrong things. We can follow in his footsteps, but we don't have to.

The point is we don't have to follow Keynesian economics. We don't have to do all of this tremendous level of spending and taxation. It's not necessary. It's not what the Republicans are proposing. We know it won't work, and we have learned from Morgenthau, and we have learned from other people as well.

What is the solution? Well, actually, it's kind of interesting. One of the people who learned the solution was JFK, a Democrat. What he did was what? Well, he cut taxes. Oh, my goodness. A Democrat cutting taxes? Yeah, JFK actually did. We had a recession. He understood that businesses have to have some breathing room, so he cut taxes. Guess what? The economy improved.

Then Ronald Reagan comes along. Ronald Reagan had the same basic idea. He said, Hey, we've got a bad economy. How can we ever compete with the Soviet Union when our economy is all in trouble? So what did he do? He had a huge tax cut—two or three times what George Bush's tax cut was. Everybody called it trickle-down economics and made fun of Ronald Reagan for about a year or so until the economy turned around and took off like a horse, and it pulled us on ahead. He continued to spend money on defense. He bankrupted the Soviet Union. The Berlin Wall fell down, and the Western World was freed from the threat of an aggressive, Marxist/communist regime that was bent on taking over the free world. This is all because he understood these basic principles.

So who is it who has given us the model? JFK, Ronald Reagan, and also President Bush—the last President—all understood this principle. You've got to get off of the taxation and big government spending.

Here is the funny thing that is interesting. It was called sometimes ''supply side economics.'' People made fun of it, but here is how it works, and you can see, in your own logic, how it would be. Let's say somebody appointed you to be king for the year and that your job was to raise money for your little government and your kingdom and that the only thing you could do was tax loaves of bread. People in your kingdom liked to eat bread. They bought loaves of bread, so you had the power to tax them on loaves of bread.

Well, you start thinking in your own mind, How would you do that? Well, you might say, first of all, Well, I could put a penny a loaf on the bread, and I could collect a certain amount of money. You could figure out how many loaves of bread are sold. At a penny apiece, you could figure out some revenue. Then you get to thinking, You know, I'll bet I could raise more money for my little kingdom if, instead, I put a $10 tax on every loaf of bread. Then you'd think, Wow, that would be a whole lot except what would happen is people wouldn't buy as much bread, so I really wouldn't get as much tax as I first thought I would.

So, as you play with this back and forth in your mind, you come to the conclusion that there is an optimum point where, if you raise or lower the taxes, you will get less tax revenue. Well, that's the thing that Ronald Reagan, JFK, and Bush II understood. They understood that, if you get off the taxes, the government can actually take in more money than they would have taken in if the taxes were higher. It sounds like making water run uphill, but it isn't. As you think about the loaf of bread, you think, Wait a minute. You can tax something so much that no one will buy it anymore, and you'll basically stall the economy.

□ 2030

What happened when Bush was faced with a recession when I first came to Congress in 2001, he was criticized roundly for this. After a little while—I guess it was about 2003—he got around to this, he reduced dividends, capital gains and death taxes. Now those things affect the guys that own these small businesses.

When he did that, almost immediately, what happened was government revenues went up even though the taxes, rate of taxation, went down. Well, how in the world could that be? It's this same principle. It was called the Laffer curve. It was first published, I think, by Art Laffer, an economist.

The solution to this doesn't mean that Americans have to sit around with no jobs and suffer tremendously with a lousy economy. The solution is available. The solution has been used time after time in American history. The thing that we are doing now has also been used to turn a recession into a depression.

What we have to do is stop spending too much money. It's not very complicated; the same thing you would do in your family budget. You can't say that you are fiscally responsible, criticize George Bush for creating all of these problems when his highest level of spending at 455 billion is less than one-third of what we have just spent in this year at $1.4 trillion.

When we get the ratio of debt to gross domestic product higher than it's been since the Second World War, you know something is wrong, and it is not that complicated. This whole idea of employment and what makes jobs is very straightforward.

What I hear the Democrats frequently doing is beating on their drum. We are going to tax that old rich man. We are going to get the rich man. We are going to take his money away from him and give it all to other people.

Well, the only trouble with that is, the trouble with socialism is sooner or later you run out of other people's money. Guess who it is you are going to tax? If you say you are going to tax the rich man, some of those rich men are the guys that own these companies, the men and women, the entrepreneurs who own the companies. Many times the amount of profit that the company makes is like their profit. They plow it back into more jobs.

Now, if you tax those people out of their hides, guess what's going to happen. They don't have any money to reinvest in their company, and you kill jobs. You cannot separate the people that run the business and the jobs. They are not separable.

If you really want jobs, you have to have employers. You can't have employees with no employers.

If you tax the employers too much, then they can't have employees. It's not that very complicated. Yet what we hear constantly is all these fat cats, we are going to run the tax up on these well-to-do people.

Well, as it is today, you might be amused to know that 50 percent of Americans pay about 1 percent of the tax revenue in America. Fifty percent of Americans pay about 1 percent—I believe my numbers on that are pretty close to right. You could also say that a very, very large percent of taxes are paid by a very small percent of Americans.

Now, if you drive that too hard, what happens again is you squeeze the small business and the wheels come off the tracks. That's what we have been doing, and we have not been making the situation better.

It's not complicated. We can fix it, but we can't fix it with what we did today. Today the Democrats decided to increase the debt ceiling, another $300 billion. They decided to spend money on the defense of our country, which I supported and voted for, but also another $150 billion in this stimulus kind of thing which didn't work before, and we know it's not going to work again.

We are not using the right approach. We are not going back to the basics of how jobs are created. What we are doing is we are spending Americans' money. Not just our own money, not just our kids' money, our grandchildren's money at this kind of rate. We cannot afford these kinds of programs in the condition of our economy.

We can right the economy. There's things that can be done to fix it. There's a great deal that can be done with health care. Even if you believe in global warming, and it is a high priority to spend billions of dollars on it, even if you believe that, there are a whole lot of better solutions and a whole lot of government redtape and taxes.

You can move to the nuclear model, which is going to reduce CO_2 significantly. This economic stimulus, we saw how effective that was. That's the thing that we are claiming we are going to keep our unemployment below 8 percent, and here we are closer to 10.

Now, of course, the Wall Street bailout: this was a failed idea from the start. It was sold to the Congress that the entire American economy was going to collapse, that there was going to be sulfurous smoke billowing out of the earth. There are going to be hail storms and brick bats falling from the sky if we didn't come up with $700 million in unmarked bills, and we wanted it in a big hurry because we made a big public announcement, the stock market is watching you, Congress.

Congress obliged. I think it was a bad decision. They passed that stimulus bill. Now we have got politicians running around inside the private sector deciding on the salaries of private employees.

The recent bill that we passed here just last week gives the Federal Government the authority to regulate financial transactions and, at least in theory, could give them the power to determine the salary of a bank teller. Do we really think that that's a job that Congress and the Federal Government can do efficiently, is to determine the salary of people in private industry?

Is that what we really want our government doing? Do we trust our government to be telling us whether we can put an addition on our house and we have to prove that the carbon footprint of our house is just right to be able to allow us to put an addition on our house?

Do we need to have a energy taxed a whole lot more when the economy is in the condition it is now? Is this threat of global warming which—by the way, a whole series of emails and electronic files were released from the scientific university in England that is the center for collecting all the data on global warming, it found that these scientists had been fudging the data. What they found was, in fact, that they were very less than professional and had been doing everything they could to quash any article appearing in a journal that would question the absolute rigid science that global warming was an imminent disaster on this planet.

Well, when the evidence of the fact that the data had been doctored, that they had been intentionally trying to quash the opinions of dissenters, trying to say that it's settled science—it's nothing settled at all, what these emails revealed in East Anglia. But that was kind of dubious science all the way along.

The question is, is that as important as our dependence on foreign oil? I am not so sure that it is.

Even if it is, there's a solution to that which is replacing coal-fired, carbon-burning plants with nuclear plants. France has 80 percent nuclear generation. If we went to 40, we would, equivalent, get rid of the CO_2 from all of those passenger cars.

This is not the approach we have been taking. The whole wrong economics of what we have been doing is wrong. That's why people are feeling pain. They are feeling unemployment. That's why people can't make their mortgage payments. That's why people are having to move in with their parents and all kinds of other sacrifices are being made.

That's a tragedy, because this is something that's not that complicated. It's something that—there are models that show us what we should be doing in government. The Republican Party has proposed all of the things that I am talking about in solutions, that is, in terms of health care, are we saying there isn't something that should be done? Of course there are things that should be done in health care.

If you have got a problem with the plumbing in the kitchen sink, it doesn't mean you remodel the entire kitchen. That's what the Democrats have proposed. In socialized medicine, the government could take over all of health care. You don't have to do that, but there are things that we can do to improve the situation and can build on what we have.

We have a very, very good health care system in terms of delivery. The pay-for piece of it is broken, and it's because about a third of Americans don't pay anything for their health care. No wonder that starts to create stress in the system.

There are things that we can do to improve the efficiency and the way our health care system works, but it doesn't mean scrap the whole thing and give it to the government. In each of these areas there are good proposals, ways to solve these problems.

When we are talking about jobs and employment, we have to remember what the basic principles are. The basic principles are those small businesses have to be healthy, and they are never healthy when we spend too much money, when we create too much redtape and when we tax too much and also when we don't get the right rules in terms of liquidity.

I heard on the floor here not so long ago, the Democrats saying that this entire recession is the fault of George Bush. Of course, he is the one that brought the hurricane—it's always convenient to find somebody to blame.

But what's to blame in this recession? What's to blame in terms of job losses? Well, it's these things here. Anybody who has ever run a small business, you can check these with anybody who has a friend, talk to somebody who runs a small business. Ask them: Is economic uncertainty a problem in terms of creating jobs? Oh, yes, yes. Slowdown in the economy? Yes, that makes me concerned. Excessive taxation? Oh, yes, you are going to tax me a whole lot.

We have got this thing called a death tax. The death tax, the way it works is when it goes back into effect in 2011 or 2012, let's say you have got a business, maybe it's a farm. You have got the thousand acres and Dad is running the farm. Dad dies and passes the farm on to his son.

The government says, well, your dad died so we are going to tax you. Well, how come you are taxing? He already paid his taxes. Yes, we are going to tax him again. It's a double taxation, and we want 45 percent of the value of the farm.

The son says, well, that means I would have to sell half the land from a thousand acres and go to 500. I would have to get rid of half of my tractors and combines and other equipment. The farm really wouldn't work at 500 acres. It needs a full thousand acres. Sorry, Bub, you owe Uncle Sam the death tax.

What that does is what? It kills small business when you do that death tax. These are things that people know you just can't do this and expect to have a strong economy.

That's where we have been making some mistakes. Unfortunately this last year these mistakes have come home to roost.

You could say, well, this is Bush's mistake because he got the whole economy messed up in the first place.

Well, let's go back to that record. Let's go back to that conservative newspaper, the New York Times. On September 11, September 11, 2003, the New York Times reported, first of all, that President George Bush was worried about what was going on with Freddie and Fannie. Freddie and Fannie had apparently lost a few billion dollars, didn't know where they had put it.

That said, these financial institutions that were quasi-public, the implication was that the government would be in the bag if something went wrong with Freddie and Fannie.

He is quoted, September 11, 2003, in the New York Times saying that Congress needs to give him authority to regulate Freddie and Fannie more. In a matter of a year or two, we here in the House, it was a Republican House at that time, passed a bill to give the President authority to get into Freddie and Fannie's finances and to regulate them more because they were out of control.

The bill went to the Senate, as you can expect; but it was killed by the Democrats in a filibuster on the floor. It never saw the light of day. It was never passed.

So it was that Freddie and Fannie, failing, along with other parts of that real estate market, which was created by laws that we had made, saying that banks had to make loans to people who couldn't afford to pay them, and also this wild speculation that came from a very, very low interest rate and a lot of liquidity created by Greenspan, you put that all together and you get a bubble in the real estate market. The bubble pops and things come apart.

Now, you could try and blame that thing on Bush, but it really wouldn't be accurate to do that. He saw, at least in 2003, that we were in trouble and recognized we should do something about it. It's easy to try to blame problems that are created by overspending and overtaxation on the Republicans, but the fact of the matter is this Congress has got 80 Democrats more than it does Republicans. This is not exactly what you call a Republican control of the Congress or the House.

Over in the Senate, the Democrats have a working 60-vote majority, so they could even break filibusters and pass what they want. They have had a year to work on this, and we can see what they have done.

We have seen what happened to their spending. We have seen all these different things they put money into. These ones that are foggy are the ones that are just done by the House. The Senate has not passed them.

We have seen what's happened to employment as a result of that excessive spending. It has not been good, and it's not been good for a reason.

We have, today, again, continued in the same policy. I think Americans are getting tired of it. I think they realize you can't blame it on someone else, that these are basic factors that people understand. It's businesses that create jobs; and if you tax the businesses too much, and if you have the wrong environment for the businesses, they are not going to be able to keep the economy going.

□ 2045

Ironically, something that suffers a great deal in a poor economy are governments. Governments depend on tax revenues for their revenues, and the States really take a beating because many of them have balanced budgets that they have to meet. So if you happen to be some poor governor in a State when you have a Congress like this that's spending money wildly and forgetting the basic principles of economics, you've got a lot of problems.

So this cartoon is as a lot of cartoons that have a certain amount of sense and humor to them. ''Now give me one good reason why you're not hiring.'' Well, we've seen a whole lot of reasons why we're not hiring, and the trouble is that we have essentially exasperated every single one of these things, and that's why there are not jobs here.

So we're closing up here, then, on this segment on unemployment and on spending and what it is that creates it. There's nothing here that's very complicated. Like most things in life, if you understand the mechanics and how they work, they're not very difficult. We're doing some things that are wrong in terms of jobs. If we want to have jobs, we can do it. It's not the government that's going to create the jobs. It's you, my friends, the American people that will create the jobs. But we have to give you an economic environment that is conducive to creating jobs, and that does not mean a whole lot more money in spending, such as our $150 billion in stimulus II, ''son of stimulus,'' if you want to call it that, the failed bill from last summer that didn't work. It does not include increasing the debt limit, as we did today, by $300 billion. What it includes is the same basic principle that JFK, Ronald Reagan, and Bush used, which is getting the government off the backs of the people of the United States.

This is a sad situation. My father fought in World War II, and their mindset was, we're going to give of ourselves a whole lot so the next generation, our children, can have more than we did. Some of them didn't go to college, and they said we want our kids to go to college. We want to leave America a better place.

Is that the heritage of this day, that we want to leave America a worse place, that we want to leave our kids and our grandkids up to their ears in debt, having a less bright future than what we had? Can't we learn from the great generation that fought World War II that we want to leave America a better place?

I believe the American public will say we want to go back to leaving this a stronger, better, freer country than when we inherited it, and I think we will do that. But we will do that by changing these false premises and policies that are leading us down the primrose path.

I thank the Speaker for allowing me to talk on these very important questions, and I would say Merry Christmas, wonderful holidays to Americans. God bless you and goodnight.

THE IRAQ AND AFGHANISTAN WARS AND HEALTH CARE REFORM

The SPEAKER pro tempore (Mr. TONKO). Under the Speaker's announced policy of January 6, 2009, the gentleman from Florida (Mr. GRAYSON) is recognized for 60 minutes as the designee of the majority leader.

Mr. GRAYSON. Mr. Speaker, in some respects the policy regarding the wars in Iraq and Afghanistan comes down to the subject of leadership. And as I have said, leadership is sometimes simply a question of looking into the future, seeing what's inevitable, and doing what you need to do to make the future come faster. I think that's true in both the case of Iraq and the case of Afghanistan.

In the case of the Israelites in Egypt, Moses did not say to the pharaoh, Would you please let my people go starting 2 or 3 years from now? Instead what he said is ''Let my people go'' now.

We all know that sooner or later our troops will be withdrawn from Iraq. They will be withdrawn from Afghanistan. So the question is why not now?

Now, if you ask that question to the other side, the people who want to perpetuate these wars, the answer is always the same in one form or another. That answer is, something bad is going to happen. But what that really means when you get down to it is that something bad might happen. Nobody knows for sure what might happen. They're speculating that something bad might happen. But you can be sure that if the war is perpetuated, something bad will happen. And that is the loss of American lives, the loss of foreign lives, the loss of our national treasure.

In the case of Iraq, $3 trillion already and the amount grows every day. This in a country like ours with a total net worth accumulated over more than two centuries of $50 trillion. We have taken 6 percent of what our great grandparents and our grandparents and our parents produced and left to us and everything that we've toiled to produce over the course of our lives and everything that our children have produced. We have taken 6 percent of all of that and dumped it into the sands of Mesopotamia and lost 4,000 American lives and countless Iraqi lives to boot. Now, this is what happened because we entered into this war, because we continue this war, because the war continues to this day.

We have an enemy in this war. The enemy is called al Qaeda; al Qaeda in Iraq, al Qaeda in Pakistan, wherever they might be, but that's the name they go by. But ask yourself, what could they have possibly done to inflict that on us? What could al Qaeda have done to make us lose $3 trillion, 4,000 American lives, countless lives of other people? What could they have possibly done? They would have literally had to vaporize New England in order to inflict the same amount of economic damage on us to destroy 6 percent of our economy. It simply wasn't possible. It isn't possible. It never was possible.

And that's why the war was such a mistake to begin with. It was born in sin, it lives in sin, and in the end it will die in sin. It never should have started, and it never should be perpetuated because every day the war continues. Every single day is another day that we risk American lives, on many occasions we lose American lives, other people die, and again our national treasure is dissipated until in the end it will be gone.

As Senator KERRY once asked, famously, ''How do you ask a man to be the last man to die in Vietnam?'' That's a good question. How do we ask a man today to be the last man to die in Afghanistan? How do we ask an American soldier today to be the last American soldier to die in Iraq? There is no good answer to that question. There's no good answer to why we continue to perpetuate these wars knowing full well that they will end. And they'll end only one way.

Paul Simon once had a song called ''50 Ways to Leave Your Lover.'' There actually are 50 Ways or more to start a war. That much is true.

Once the Europeans fought a war because a pirate cut off a man's ear, the War of Jenkin's Ear, and that plunged two different nations into war for years. At another time a murder was committed. A man was shot, one man, only one man. He happened to be Archduke Ferdinand, and an entire continent was plunged into war. That was the origin of World War I.

There are all sorts of ways to begin a war. There are all sorts of ways to perpetuate a war. The Hundred Years' War in Europe was fought for more than a hundred years, left two different countries, both England and France, absolutely penniless, as many wars often do, for the simple reason that it takes an awful lot of effort to build a school, almost no effort at all to blow it up. And the same thing is true of anything that you can create. So wars destroy, and very often they destroy the countries engaged in them.

In the case of America, when America starts a war, when America is involved in a war, we are so strong, we are so powerful that the only way to end a war is for us to end it. There is only one way to end the war that America is involved in, and that is for us to decide as a country enough is enough, we're done. We spend more on our defense than all other countries combined, and the result of that is that these decisions are made by us, often by the people in this room, often by the President. And it's up to us to decide when enough is enough, when enough people have died, when enough money has been lost, when the price in both blood and money is simply too high. I submit that we've reached that point in Iraq a long time ago. We reached that point in Afghanistan a long time ago.

In the case of Afghanistan, within 2 months after 9/11, we had expelled the Taliban Government from the capital. Within 3 months we had expelled al Qaeda from the country, and our enemies were no longer even in Afghanistan at that point. They were in Pakistan and they remain there today. It's not a secret. Everybody knows it. So the result of that is within 2 months or 3 months after 9/11, we had won our victory in Afghanistan, and at some later point even in Iraq I seem to remember our President standing on an aircraft carrier and behind him the giant sign ''Mission Accomplished.''

Yet both these wars go on and on and on for one reason, one reason only: It's because we Americans decide to perpetuate them. And we do so out of fear, out of the sense that something bad might happen, without realizing that something bad happens every single day that we are at war. So there may be 50 ways to start a war, but there's only one way to end it, and that's for us to end it and hopefully not too much longer from now.

I think the President missed an opportunity. He took office with a great deal of goodwill on the part of not only my party, the Democratic Party, but also on the part of good people all around America who simply want better lives for themselves. Let's not squander that opportunity. We all deserve a direction that we regard as the right direction. There are too many people in this country even today who think we're going in the wrong direction. In Iraq the wrong direction is simply the same direction. The same thing is true in Afghanistan. The wrong direction is the same direction. We voted for change. We deserve change. That's just as true with these foreign wars as it is with anything else.

We know that at some point in the future these wars will be over. And with regard to what the situation will be then, we will know that George Bush started these wars and I sincerely do hope, I sincerely do hope, that Barack Obama will end them, if not right now then as soon as possible.

Then at that point the poet Percy Bysshe Shelley will tell us what the circumstances are at that point, and I yield to Percy Bysshe Shelley for a moment or two. He described those circumstances in the poem ''Ozymandias.'' This is what those circumstances will be like when these wars are over:

''I met a traveller from an antique land
Who said: Two vast and trunkless legs of stone
Stand in the desert. Near them on the sand,
Half sunk, a shattered visage lies, whose frown
And wrinkled lip, and sneer of cold command
Tell that its sculptor well those passions read
Which yet survive, stamped on these lifeless things,
The hand that mocked them and the heart that fed.

And on the pedestal these words appear:

'My name is George W. Bush, king of kings:
Look on my works, ye Mighty, and despair!'
Nothing beside remains. Round the decay
Of that colossal wreck, boundless and bare,
The lone and level sands stretch far away.''

The lone and level sands will stretch far away when these wars are over, these monuments to the mistakes of our previous President. But in the end that's what it will be, simply a statue in the desert, pointless, endless, bare.

With regard to the issue of health care, we are now waiting for the Senate to act, this House having acted quite a while ago now.

□ 2100

And I have to wonder why. Why are we waiting so long? What facts are different today on this day in December than were any different in November, or any different in October, any different in September, August, July? What can we do today that we could not have done then? I think the sad fact is, nothing. Nothing has really changed. The fundamental facts are the same. Americans are still denied care every single day on the basis of preexisting conditions, on the basis of reaching lifetime caps. There are still millions upon millions of Americans who have no health care coverage. There's a million, who, every year, go bankrupt because of that. And there are thousands upon thousands who die every single month for the simple reason that they have no health care coverage. That's been true, not only for this month, not only for last month, but for year upon year.

And we Democrats in the House of Representatives, we took it upon ourselves, with the political capital that you, the American people had given to us, we took it upon ourselves to make that our priority once we had done what we could to steady the shaken economy. We delivered. We did what we needed to do. And we have waited and waited and waited for the Senate to do what it needs to do.

I pointed out here on this pedestal several weeks ago that the cost of delay is death. People die every single day, 121 of them, 122, every single day because they have no health care coverage in America. And I pointed out that there are people here in this Chamber who are dead set against health care reform, even at the cost of the lives of their own constituents. I gave their names. I gave their numbers for how many people would die in each of their districts on account of our not passing health care reform. Now I think it's time to do the same for the obstructionists in the Senate, those people who think that health care reform doesn't serve their own purposes, and they are, therefore, willing to deny it to their own constituents.

This is not a case of one State opting out. This is a case of Senators, en

masse, deciding, one by one, that there will be no health care reform, not just for their States, but for all America. And so what I've done is I've created another list. This is a list of States and a list of those who die in that State, one by one, on account of there being no health care coverage, not once, but year after year after year. And now I propose to provide that list to you all. You'll be able to see it at our Web site later on today.

In the State of Alabama, the number is 541 deaths each year.

In the State of Alaska, 124 deaths each year.

In the State of Arizona, 1,185 deaths each year.

In the State of Connecticut, 326 deaths each year.

In my State of Florida, an astounding 3,542 deaths each year.

In Georgia, 1,640 deaths each year.

In Idaho, 217 deaths each year.

In Indiana, 727 deaths each year.

In Iowa, 272.

In Kansas, 329.

In Kentucky, 609.

In Louisiana, 800.

In the State of Maine, 123 deaths each year.

In Mississippi, 518 deaths.

In Missouri, 714 deaths.

In Nebraska, 216 deaths.

In Nevada, 450 deaths.

In New Hampshire, 132 deaths.

In North Carolina, 1,424 deaths.

In Ohio, 1,279 deaths.

In Oklahoma, 550 deaths.

In South Carolina, 693 deaths.

In South Dakota, 88 deaths.

In Tennessee, 883 deaths.

In the State of Texas, 5,857 deaths each year for lack of health coverage.

In Utah, 342 deaths.

In Wyoming, 69 deaths.

And on it goes.

And for those Senators who have shown some reluctance or some lack of interest in health care reform, I'm going to provide your names right now to go with your States.

In Alabama, I'm talking about JEFF SESSIONS and RICHARD SHELBY; in Alaska, LISA MURKOWSKI; in Arizona, JON KYL and JOHN MCCAIN; in Connecticut, JOSEPH LIEBERMAN; in Florida, GEORGE LEMIEUX; in Georgia, SAXBY CHAMBLISS and JOHNNY ISAKSON; in Idaho, MIKE CRAPO and JAMES RISCH; in Indiana, DICK LUGAR; in Iowa, CHUCK GRASSLEY; in Kansas, SAM BROWNBACK and PAT ROBERTS; in Kentucky, JIM BUNNING and MITCH MCCONNELL; in Louisiana, DAVID VITTER; in Maine, SUSAN COLLINS and OLYMPIA SNOWE; in Mississippi, THAD COCHRAN and ROGER WICKER; in Missouri, CHRISTOPHER BOND; in Nebraska, MIKE JOHANNS and BEN NELSON; in Nevada, JOHN ENSIGN; in New Hampshire, JUDD GREGG; in North Carolina, RICHARD BURR; in Ohio, GEORGE VOINOVICH; in Oklahoma, TOM COBURN and JAMES INHOFE; in South Carolina, JIM DEMINT and LINDSEY GRAHAM; in South Dakota, JOHN THUNE; in Tennessee, LAMAR ALEXANDER and BOB CORKER; in Texas, JOHN CORNYN and KAY BAILEY HUTCHISON; in Utah, ROBERT BENNETT and ORRIN HATCH; and in Wyoming, JOHN BARRASSO and MICHAEL ENZI.

Please remember these names. These are the people who have stalled health care in this country. These are the people who have watched when, day after day, month after month, people go broke, people remain sick and people even die because they have no health care in this country. And I want to assure each one of you who has done anything to obstruct health care reform in this country that people will remember. Maybe not the people who die, but the people who love them, the people whose names I read day after day at our Web site, NamesOfTheDead.com, and the people whose stories I told day after day. These are people who are gone, but the names, the list grows every single day until we solve this problem. And then, in the end, when we do solve this problem—and it's inevitable. Every other industrial country in the entire world has health insurance for everyone. When we do join the ranks of those countries, people are going to remember who made that happen and show kindness and love to them. People are going to remember who blocked it, and they'll show undying hatred. People are going to remember.

And you'll remember, too. You'll remember that when the time came for you to do something for your fellow man, to stop the suffering, to stop the hurt, to stop the pain and to stop the dying, you did nothing, or you didn't do enough. You're going to remember that, and you're going to know that blood is on your hands.

May God have mercy on your soul.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind the Member to refrain from engaging in personalities toward the Senate or its Members. Remarks in debate may include policy criticisms, but may not descend to personalities.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore. Without objection, the request for a 5-minute special order speech in favor of the gentleman from Florida (Mr. GRAYSON) is hereby vacated.

There was no objection.

THE RELIGIOUS HERITAGE OF THE UNITED STATES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Mr. Speaker, it's interesting following the gentleman from Florida. In the spirit of Christmas, it sounds like accusing previously Members of Congress and now Members of the Senate of basically being responsible for deaths. I can't help but address that in this respect—ignorance is a dangerous thing, and the fact is, if you will examine, Mr. Speaker, the statistics of those, for example, you take numbers I'm familiar with of women who find a localized tumor, of breast cancer, they have a 98 percent chance of success, of complete elimination of the cancer. That's in the United States with our health care.

If we go to what the gentleman from Florida is proposing, as we see in other countries like England, it's about 20 points less. In other words, the program the gentleman from Florida is advocating would be responsible for killing one out of five women who find those type tumors. And you can run those statistics throughout health care.

So, despite what some have said—I know not intentionally trying to misrepresent, because I know the gentleman is an honorable man. As Shakespeare said, so are they all, all honorable men. But they're wrong about the facts. And the truth is, we have numerous proposals to reform health care and to provide health care for everyone. But one of the great misrepresentations that's been made this year in this House is that so-called health care reform is about health care reform. It is not. We've heard everyone from the President to lots of people on this side of the aisle say that yes, we want to insure 30 million more people. Well, the statistics tell us if they do their program, then they are going to be millions who lose their health care insurance. And even if you wanted to insure 30 million people, well, the statistics indicate those 30 million are in approximately 10 million households, and you can insure those 10 million households for potentially less than $10,000. So for $100 billion, you could insure all the people that they say they need to add to the health care insurance rolls for $100 billion. And yet the estimates are anywhere from $1.2 trillion to $2.5 trillion as to what they're proposing will cost.

That makes it clear that the truth is their proposals are not about health care reform. They are about government control. And consistently, when you go through the statistics of the success rates with regard to different types of cancer, if you go to the programs being advocated, then people get on lists and they die waiting on those lists. People die waiting for the treatment, the therapy, the diagnostics that require lists in a socialized medicine setting.

But I want to get away from the partisan politics and the nasty allegations that have been made in here just prior to me speaking, and back and forth throughout this year, because this may well be the last hour that we have here in the House before we recess for Christmas and before we come back next year. So, instead of getting into all this rancor, I thought it would be

good to help address an area that some people have just not had education about, and that this is the appropriate place, Mr. Speaker, to make sure that the record is correct, because we have so much wonderful history in this building, in this House.

For example, I hear people really concerned around this building, around the Supreme Court, across the way, around Capitol Hill here, about someone, my goodness, praying in public. Well, we begin every day we're in session here in the House and the Senate's in session with a prayer.

□ 2115

Many are ignorant from the place in which that tradition started, where it came. You have to go back to 1787, the Constitutional Convention.

The Constitutional Convention, people may recall, began in 1787 as a result of the failure of the Articles of Confederation. And for those that know history, they would know that the revolution was won in 1783. It was the Treaty of Paris in which England finally recognized the United States' right to exist as a Nation, and George Washington did something that had never been done in the history of mankind before or since then, and that is lead a revolutionary military, win the revolution, and then resign and go home when he could be Caesar, he could be king, emperor, whatever. That was not his goal. His goal, as he said, was to do his duty to God, basically, and his country, kind of like the Scout oath.

Anyway, here they are in Philadelphia, Independence Hall, 1787. It's June. Benjamin Franklin is 80 years old. Now, many people say, Well, we know he was a deist from history. That means he believed there was a creator out there but that he believed God, the creator, created things and then stood back and let everything happen and that he never interfered. Well, those who also know history know that there were times in his life when Benjamin Franklin sowed some wild seeds, and that included some in Europe and in England. But by the time of the Constitutional Convention, there in Independence Hall in Philadelphia, 1787, Benjamin Franklin was between 2 and 3 years away from meeting his judge, meeting his maker, and he knew that. He was as brilliant as ever, as witty, an amazing man, the genius that he was, and there he sits.

There is a picture right outside the House floor depicting that area in Independence Hall where they were meeting. Now, in the beautiful painting, the windows are open. Well, the windows were covered. It may have been by blankets instead of beautiful lined curtains depicted in the scene. But for nearly 5 weeks, they went without accomplishing much of anything. Finally, the 80-year-old Ben Franklin rose and was recognized by the President of the Constitutional Convention, George Washington. And we have these words because James Madison recorded them as secretary of that convention.

These are the exact words of Benjamin Franklin, June 28, 1787, in Philadelphia during the Constitutional Congress. Benjamin Franklin said: ''Mr. President, the small progress we have made after 4 or 5 weeks' close attendance and continual reasonings with each other, our different sentiments on almost every question, several of the last producing as many noes as ayes, is, methinks, a melancholy proof of the imperfection of human understanding. We, indeed, seem to feel our own want of political wisdom, since we've been running about in search of it. We have gone back to ancient history for models of government and examined the different forms of those republics which, having been formed with the seeds of their own dissolution, now no longer exist. And we have viewed modern states all around Europe but find none of their constitutions suitable to our circumstances.

''In this situation of this assembly groping, as it were, in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of lights to illuminate our understanding? In the beginning contest with Great Britain, when we were sensible of danger, we had daily prayer in this room. Our prayers, sir, were heard and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a superintending providence in our favor. To that kind providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? or do we imagine that we no longer need His assistance?''

Ben Franklin goes on and says: ''I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the sacred writings that, 'except the Lord build the House, they labor in vain that build it.' I firmly believe this; and I also believe that without His concurring aid, we shall succeed in this political building no better than the builders of Babel. We shall be divided by our little partial local interests; our projects will be confounded, and we, ourselves, shall become a reproach and a byword down to future age. And what is worse, mankind may hereafter this unfortunate instance despair of establishing governments by human wisdom and leave it to chance, war, and conquest.

''I therefore beg leave to move that, henceforth, prayers imploring the assistance of Heaven and its blessings on our deliberations be held in this assembly every morning before we proceed to business, and that one or more of the clergy of this city be requested to officiate in that service.''

His motion was seconded, and then Ben Franklin's motion was adopted unanimously. And from that day to this day, we do not begin Congress in this body without a prayer to begin.

Now, for those who say Ben Franklin obviously was a deist who didn't believe, believed a God or creator created things but never intervened, his own words seem to defy that. He begged and implored Congress to begin with prayer every day because, as he said, ''Our prayers, sir, were heard, and they were graciously answered.''

So, Mr. Speaker, also, here again, in the spirit of bipartisanship, in the spirit, for me, of Christmas that has been so historically observed in this Nation, we want to just go through and make sure people understand our heritage.

Now, the great thing about our Constitution, it does allow for freedom of religion and a freedom not to worship at all. That is because they're based on the teachings of Christ and his willingness to allow all men to make their own decisions for themselves, knowing, as he did, that one day, all people will meet their maker. But let's go back to the person that found the New World, as it was called. This was Christopher Columbus.

You don't find many history books which have these kinds of quotes in it. This is Christopher Columbus in his own hand, in his own journal. He said: ''It was the Lord who put it into my mind (I could feel His hand upon me) the fact that it would be possible to sail from here to the Indies. All who heard of my project rejected it with laughter, ridiculing me. There is no question that the inspiration was from the Holy Spirit, because He comforted me with the rays of marvelous inspiration from the Holy Scriptures.''

Now there are those today who say the real lesson of Columbus is that it's amazing what you can do, even when you don't know where you're going, you don't know where you are when you get there, so long as you get the government to pay for it. But I would submit that there was a creator, a creator as Christopher Columbus believed, who put this into his mind to sail west and discover this area so that the greatest nation in the history of mankind could arise.

Now if you go to the Pilgrims who came across, originally from the Netherlands to England and to America by way of stopping in England, this was 1620. Part of the Pilgrims' compact, these are their words, ''In the name of God, Amen . . . Having undertaken for the glory of God, and advancement of the Christian faith, and the honor of our king and country, a voyage to plant the first colony in the northern parts of Virginia, do by these presents, solemnly and mutually in the presence of God and one another, covenant and combine ourselves together in a civil body politick.'' That was the Pilgrims on the Mayflower, November 11, 1620.

I have had people I have met from Harvard University who are not familiar with their history and the fact that Harvard University, September 26, 1642, this was part of their code. It was part of their handbook.

Harvard University: ''Let every student be plainly instructed, and earnestly pressed to consider well, the main end of his life and studies is to know God and Jesus Christ, which is eternal life, John 17:3; and therefore to lay Christ in the bottom, as the only foundation of all sound knowledge and learning. And seeing the Lord only giveth the wisdom, Let every one seriously set himself by prayer in secret to seek it of him, Proverbs 2:3.'' That's Harvard University at its founding back around the year 1642.

In George Washington's own personal prayer book, which he read from daily, this is one of the entries in that prayer book that was in Washington's possession when he passed away: ''O most glorious God and Jesus Christ, I acknowledge and confess my faults in the weak and imperfect performance of the duties of this day. I called on Thee for pardon and forgiveness of sins, but so coldly and carelessly that my prayers are come my sin and stand in need of pardon. I have heard Thy holy word, but with such deadness of spirit that I have been an unprofitable and forgetful hearer . . . Let me live according to those holy rules which Thou hast this day, according to those holy rules which Thou hast this day prescribed in Thy holy word . . . Direct me to the true object, Jesus Christ, the way, the truth and life. Bless, O Lord, all the people of this land.'' That's George Washington's prayer book.

Here is a quote from Thomas Jefferson, as we know, who wrote basically the Declaration of Independence at the urging of John Adams, and it was Jefferson who was the third President after John Adams. Jefferson in 1782—and for those who visit Washington, this is inscribed inside the Jefferson Memorial.

Jefferson said: ''Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of people that their liberties are the gift of God?''

Jedidiah Morse, who is called the father of the American geography, also father of Samuel Morse—folks who know history know who that is. On April 25, 1799, Jedidiah Morse said: ''Whenever the pillars of Christianity shall be overthrown, our present republican forms of government, and all the blessings which flow from them, must fall with them.''

James Madison, the fourth President, March 4, 1815, in his Thanksgiving Day proclamation said: ''No people ought to feel greater obligations to celebrate the goodness of the Great Disposer of events and of the destiny of nations than the people of the United States. His kind providence originally conducted them to one of the best portions of the dwelling place allotted for the great family of the human race. He protected and cherished them under all the difficulties and trials to which they were exposed in their early days. Under His fostering care, their habits, their sentiments, and their pursuits prepared them for a transition in due time to a state of independence and self-government.''

□ 2130

Then John Quincy Adams, who was the son of John Adams, John Quincy Adams was the sixth President. Some think he may have been the smartest President, but there's no way to know. He was a brilliant man, the youngest diplomat ever appointed in America when he was 11 years of age. He knew all the Founders. His father, John Adams, allowed him to accompany him to so many events and things. He knew the Founders. He knew the founding.

And John Quincy Adams in 1821 on July 4 said, ''The highest glory of the American Revolution was this, it connected in one indissoluble bond the principles of the civil government with the principles of Christianity, wherefrom the day of the Declaration they, the American people, were bound by the laws of God which they all, and by the laws of the Gospel which they nearly all, acknowledged as the rules of their conduct.''

Noah Webster, 1833, said: ''The moral principles and precepts contained in the Scriptures ought to form the basis of all our civil constitutions and laws. All the miseries and evils which men suffer from, vice, crime, ambition, injustice, oppression, slavery and war, proceed from their despising or neglecting the precepts contained in the Bible.''

Alexis de Tocqueville, 1835, said: ''There is no country in the world where the Christian religion retains a greater influence over the souls of men than in America; and there can be no greater proof of its utility and of its conformity to human nature than that its influence is powerfully felt over the most enlightened and free Nation of the Earth.''

Again, John Quincy Adams, he was defeated in 1828 for a second term by Andrew Jackson. Then in 1830, he believed it was God's call for him to run for Congress, run for the House of Representatives, after having been President. He was elected and served for 17 years in the House of Representatives, just down the hall in Statuary Hall. It was John Quincy Adams who was retained to represent the Africans who were aboard the Armistad in their case before the Supreme Court. Anthony Hopkins did a wonderful job of portraying John Quincy Adams in the movie ''Armistad.'' I think in the movie his closing argument was around 10 to 12 minutes, whereas in real life it spilled into a third day.

John Quincy Adams, 1837, after he had been in the House 6 years, he said, ''Is it not that the Declaration of Independence first organized the social compact on the Foundation of the Redeemer's mission upon Earth? That it laid the cornerstone of human government upon the first precepts of Christianity?''

And all of these people believed. People in America will be able to worship the way they choose or do not choose because the Nation was founded upon Christian precepts that allowed that freedom as no other nation in the history of mankind.

Andrew Jackson, 1845, this was just a few weeks before his death, and of course, people that know Jackson know that he was quite a rounder and he had quite a life. But, again, as he was just a few weeks before his death, he knew he was going to meet his Maker. Andrew Jackson said these words: ''Sir, I am in the hands of a merciful God. I have full confidence in His goodness and mercy. The Bible is true. I have tried to conform to its spirit as near as possible. Upon that sacred volume I rest my hope for eternal salvation, through the merits and blood of our blessed Lord and Savior, Jesus Christ.'' That was Andrew Jackson just a few weeks before his death, May 29, 1845.

Daniel Webster, considered the greatest orator probably of all times in this country, served in the House, served in the Senate, thought perhaps he might be President one day, but he urged a compromise which cost him the election. Whether he was right or wrong, he believed if we didn't have the Compromise of 1850 then the Nation was doomed, that there would be a civil war in 1850 from which the Nation may not survive.

So he did a very selfless thing and stood up and urged the Compromise of 1850, knowing that he would lose his base. But he believed it was to save the country. Daniel Webster said in 1852: ''If we and our posterity shall be true to the Christian religion, if we and they shall live always in the fear of God and shall respect His Commandments, we may have the highest hopes of the future fortunes of our country. But if we and our prosperity neglect religious instruction and authority, violate the rules of eternal justice, trifle with the injunctions of morality, and recklessly destroy the political Constitution which holds us together, no man can tell how sudden a catastrophe may overwhelm us that shall bury all our glory in profound obscurity.''

Daniel Webster, 1852.

Now the Senate Judiciary Committee in 1853 stated this as a committee: ''We are a Christian people, not because the law demands it, nor to gain exclusive benefits or to avoid legal disabilities, but from choice and education; and in a land thus universally Christian what is to be expected, what desired, but that we shall pay due regard to Christianity?'' Senate Judiciary Committee, January 19, 1853.

Abraham Lincoln, our 16th President, February 11, 1861, said this: ''Unless the great God who assisted Washington

shall be with me and aid me, I must fail; but if the same Omniscient Mind and Mighty Arm that directed and protected him shall guide and support me, I shall not fail. Let us all pray that the God of our fathers may not forsake us now.'' Abraham Lincoln, February 11, 1861.

We can skip over to the President's inaugural address, 1865, again, Abraham Lincoln. He said: ''Both'' talking about both sides of the Civil War, the North and the South. He said: ''Both read the same Bible and pray to the same God, and each invokes His aid against the other. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes. 'Woe unto the world because of offenses; for if it must needs be that offenses come, but woe to that man by whom the offense cometh.'''

Lincoln, in that same inaugural address, went on and said: ''If we shall suppose that American slavery is one of those offenses which''—and he knew it was an offense. He knew it to his soul that slavery was an offense and that it would be difficult for God to ever bless America as long as slavery existed. And Christian people in this country did not treat their brothers and sisters as brothers and sisters. So Lincoln goes on in that address. And you can feel the analysis that he did as he went back and forth within himself trying to figure out how a just and mighty God could allow this type of injustice.

So Lincoln goes on and he says: ''If we shall suppose that American slavery is one of those offenses which, in the Providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God ascribe to Him?

''Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk, and every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said 3,000 years ago, so it must still be said 'the judgments of the Lord are true and righteous altogether.' ''

Lincoln went on: ''With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all Nations.''

Abraham Lincoln, 1865.

Edward Everett, the Massachusetts Governor also served as U.S. Secretary of State, U.S. Senator, he spoke immediately before Lincoln's Gettysburg Address. He said this: ''All the distinctive features and superiority of our Republican institutions''—and he wasn't talking about the Republican Party, he was talking about the Nation. This is considered a Republic. Senator Everett said the ''superiority of our Republican institutions are derived from the teachings of Scripture.''

William Seward was a U.S. Senator, a Governor of New York, Secretary of State under Lincoln. And it was interesting, Lincoln had such a diverse cabinet. Many of them didn't like each other, didn't like him, and yet he took all of that information together and made executive decisions.

William Seward said: ''I know not how long a Republican Government can flourish among a great people who have not the Bible. But this I do know: that the existing government of this country never could have had existence but for the Bible. And, further, I do in my conscience believe that if at every decade of years a copy of the Bible could be found in every family in the land, its Republican institutions should be perpetuated.''

1862, Andrew Johnson, he was Vice President, and he said: ''Let us look forward to the time when we can take the Flag of our country and nail it below the cross, and there let it wave as it waved in the olden times, and let us gather around it and inscribe for our motto, 'Liberty and Union, one and inseparable, now and forever,' and exclaim: Christ first, our country next.''

U.S. Grant, the 18th President, 1876, said this: ''Hold fast to the Bible as the sheet-anchor of your liberties; write its precepts in your hearts and practice them in your lives. To the influence of this book we are indebted for all the progress made in true civilization and to this we must look as our guide in the future.''

Now, Mr. Speaker, in reading these quotes, I think it is important for people to know I'm not trying to push my religion on anyone else. But I think it is imperative that we at least know where the Founders were, where the heart was of those who provided for this incredible government, the incredible Nation we have that I believe is the greatest in the history of mankind.

This was in the case of Church of the Holy Trinity v. the United States, in the opinion, February 29, 1892. The Supreme Court said: ''Our laws and our institutions must necessarily be based upon and embody the teachings of the Redeemer of mankind. It is impossible that it should be otherwise and in this sense and to this extent, our civilization and our institutions are emphatically Christian. This is a religious people. This is historically true. From the discovery of this continent to the present hour, there is a single voice making this affirmation. We find everywhere a clear recognition of the same truth. These and many other matters which might be noticed at a volume of unofficial declarations to the massive organic utterances that this is a Christian Nation.'' That was the Supreme Court in their opinion Church of the Holy Trinity v. United States, 1892.

Theodore Roosevelt, 1917, our 26th President, said: ''In this actual world, a churchless community, a community where men have abandoned and scoffed at, or ignored their Christian duties, is a community on the rapid downgrade.''

Warren G. Harding, our 29th President, 1920 said: ''It is my conviction that the fundamental trouble with the people of the United States is that they have gotten too far away from the Almighty God.''

Calvin Coolidge, our 30th President, 1923, said: ''The foundations of our society and our government rest so much on the teachings of the Bible that it would be difficult to support them if faith in these teachings would cease to be practically universal in our country.''

□ 2145

Franklin D. Roosevelt, October 6, 1935, said: We cannot read the history of our rise and development as a Nation without reckoning with the place the Bible has occupied in shaping the advances of the Republic. Where we have been the truest and most consistent in obeying its precepts we have attained the greatest measure of contentment and prosperity. Again, Franklin Roosevelt, 1935.

1943, President Hoover, in a joint statement with former First Ladies Mrs. Coolidge, Mrs. Roosevelt, Mrs. Taft, Mrs. Harrison and Mrs. Cleveland, gave this statement: The whole inspiration for our civilization springs from the teachings of Christ and the lessons of the prophets. To read the Bible for these fundamentals is a necessity of American life.

Harry Truman, our 33rd President, in 1952 said this: The basis of our Bill of Rights comes from the teachings we get from Exodus and St. Matthew, from Isaiah and St. Paul. I don't think we emphasize that enough these days. If we don't have a proper fundamental moral background, we will finally end up with a government which does not believe in rights for anyone but the State. Profound. That was Harry Truman, 1952.

Charles Malik, our ambassador to the United Nations from Lebanon and the president of the U.N. General Assembly in 1958, made this statement in 1958: Whoever tries to conceive the American word without taking full account of the suffering and love and salvation of Christ is only dreaming. I know how embarrassing this matter is to politicians, bureaucrats, businessmen and cynics; but whatever these honored men think, the irrefutable truth is that the soul of America is at its best and highest, Christian. That was the U.N. ambassador and president of the U.N. General Assembly in 1958.

Now, Ronald Reagan, our 40th President, 1984, said: The frustrating thing

is that those who are attacking religion claim they are doing it in the name of tolerance, freedom, and open-mindedness. Question: Isn't the real truth that they are intolerant of religion? They refuse to tolerate its importance in our lives. Ronald Reagan, 1984.

Now, I point out these quotes from our history. I could read volumes and volumes of quotes basically along the same lines, not trying to push Christian religion on anyone, but just so that people understand where we came from. It's incredible the amount of ignorance on the basis of this Nation, the foundation of this Nation.

Let me go to some of our Founders directly. Sam Adams. He was called, back at that time by those who knew and knew well, the ''Father of the American Revolution.'' Samuel Adams was a signer of the Declaration of Independence. In the will of Samuel Adams he says this: I . . . recommend my soul to that Almighty Being who gave it, and my body I commit to the dust, relying upon the merits of Jesus Christ for a pardon of all my sins. That was the Father of the American Revolution, Samuel Adams.

In a letter written by Charles Carroll to Charles Wharton, Charles Carroll was a signer of the Declaration of Independence, one of the 56. He said: On the mercy of my Redeemer I rely for salvation and on His merits; not on the works I have done in obedience to His precepts.

William Cushing was the first Associate Justice appointed by George Washington to the Supreme Court. William Cushing in his will said: Sensible of my mortality, but being of sound mind, after recommending my soul to Almighty God through the merits of my Redeemer and my body to the Earth.

John Dickinson was also a signer of the Constitution. In his will he said: Rendering thanks to my Creator for my existence and station among His works, for my birth in a country enlightened by the Gospel and enjoying freedom, and for all His other kindnesses, to Him I resign myself, humbly confiding in His goodness and in His mercy through Jesus Christ for the events of eternity. Again, John Dickinson, signer of the Declaration of Independence.

John Hancock we know signed the Declaration larger than anyone else, President of the Continental Congress in 1776 when the Declaration of Independence was signed and made public. In his will he said: I, John Hancock . . . being advanced in years and being of perfect mind and memory—thanks be given to God—therefore calling to mind the mortality of my body and knowing it is appointed for all men once to die (Hebrews 9:27), do make and ordain this my last will and testament . . . Principally and first of all, I give and recommend my soul into the hands of God that gave it, and my body I recommend to the Earth, nothing doubting but at the general resurrection I shall receive the same again by the mercy and power of God. Again, that was John Hancock.

Patrick Henry, the Governor of Virginia, a patriot, made that stirring speech that I gave on the radio in fifth grade, made this statement: This is all the inheritance I can give to my dear family—this was in his will—the religion of Christ can give them one which will make them rich indeed.

John Jay played such an important role in this Nation's founding and negotiations of treaties. I believe he helped negotiate the Treaty of Paris in 1783, and so many others, but he was also the first Chief Justice of the U.S. Supreme Court. In his will, Chief Justice John Jay said: Unto Him who is the author and giver of all good, I render sincere and humble thanks for His manifold and unmerited blessings, and especially for our redemption and salvation by His beloved son. He has been pleased to bless me with excellent parents, with a virtuous wife, and with worthy children. His protection has accompanied me through many eventful years, faithfully employed in the service of my country; His providence has not only conducted me to this tranquil situation, but also given me abundant reason to be contented and thankful. Blessed be His holy name. John Jay.

Daniel St. Thomas Jenifer was a signer of the Constitution. In his will he said: In the name of God, Amen. I, Daniel St. Thomas Jenifer . . . of disposing mind and memory, commend my soul to my blessed Redeemer.

Henry Knox, Revolutionary War general, extremely important to the success of the American Revolution, said in his will: First, I think it proper to express my unshaken opinion of the immortality of my soul or mind, and to dedicate and devote the same to the supreme head of the universe—to that great and tremendous Jehovah—who created the universal frame of nature, worlds, and systems in number infinite. To this awfully sublime Being do I resign my spirit with unlimited confidence of His mercy and protection.

John Langdon was a signer of the Constitution back in 1787. He also said: In the name of God, Amen. I, John Langdon, considering the uncertainty of life and that it is appointed unto all men once to die—again, Hebrews 9:27—do make and ordain and publish this my last will and testament.

John Morton, signer of the Declaration of Independence, said in his will: With an awful reverence to the great Almighty God, Creator of all mankind, I, John Morton, being sick and weak in body but sound of mind and memory, thanks be given to Almighty God for the same, for all His mercies and favors, and considering the certainty of death and the uncertainty of the times thereof, do, for the settling of such temporal estate as it hath pleased God to bless me with in this life.

There are so many others, just one after another, vesting these same type things, signers of the Declaration of Independence, signers of the Constitution.

Jonathan Trumbull said this in his will: Principally and first of all, I bequeath my soul to God, the Creator and Giver thereof, and body to the Earth, nothing doubting but that I shall receive the same again at the General Resurrection through the power of Almighty God, believing and hoping for eternal life through the merits of my dear exalted Jesus Christ. That was Jonathan Trumble, who painted four of the paintings that are out here in our Rotunda.

One of the things that has run throughout this Nation, you go back to the Constitution, these were the Founders I've been quoting, those who were able to come together and have a Declaration of Independence, who sought, as Benjamin Franklin said, God's help in the revolution, and who sought him in the difficult, trying times after the Articles of Confederation were passed. And who they sought, as Benjamin Franklin pointed out in those great words I read, 1787, when afterwards they were finally able to come together with a constitution.

But as we know from our history, the Constitution was not afforded to all people as it should have been. They said, as these Founders I've read, that they were Christians, and yet as Christians they should have recognized that we could not expect God to bless America while we were treating our brothers and sisters by putting them in chains and bondage.

Martin Luther King came along after the Civil War. Abraham Lincoln, as I've read, made clear his beliefs in the Almighty and His grace and mercy and justice, and that's why he pushed for an end of slavery. But even still, it took Dr. Martin Luther King, Jr. and those who worked with him to bring about civil rights and an abdication of the supreme Constitution that we hold so dear to all people. It doesn't require that everyone receive equal things; it requires equal opportunity.

I would remind my friends that Martin Luther King, Jr. was an ordained Christian minister. He said in his letter from Birmingham jail: But more basically, I am in Birmingham because injustice is here. Just as the prophets of the 8th century B.C. left their villages and carried their ''thus saith the Lord'' far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the Gospel of Jesus Christ to the four corners of the Greco-Roman world, so I am compelled to carry the gospel of freedom beyond my own home town. Like Paul, I must constantly respond to the Macedonian call for aid. That was in 1963. Profound words, Martin Luther King.

One of his quotes in 1963 from Birmingham jail: Whenever the early Christians entered the town, the people in power became disturbed and immediately sought to convict the Christians for being disturbers of the peace

and outside agitators. But the Christians pressed on, and in the conviction that they were a colony of heaven called to obey God rather than man, small in number, they were big in commitment. They were too God-intoxicated to be astronomically intimidated. Powerful, powerful words, Martin Luther King.

Well, I think it's worth noting also, we have an original copy of the Treaty of Paris, 1783, located in the Department of State in a glass case. I didn't realize how that started until I saw that copy there, but it made sense once I saw it. In big bold letters at the top of the Treaty of Paris—this is the one that was negotiated in Paris in 1783 after surrendering at Yorktown to get England to sign onto a treaty indicating they would observe the United States' right to exist as an independent Nation.

It starts out in big block bold letters, ''In the name of the most holy and undivided Trinity.'' When I first saw that I thought, I wonder why they would start like that. And then you realize, you're asking the nation of England to sign a treaty and pledging not to ever attack or fail to recognize its right to exist independently of England. What do you get them to swear under that is so important and so manifest that they would not dare go back on their word? Well, they decided at that time it was to start with the words, In the name of the most holy and undivided Trinity.

Those who are familiar with the War of 1812, 1814, we're up here on Jenkins Hill, where the Capitol was built, and the British proceeded across burning every public building, proceeded to the Capitol, set fire down the hall in Statuary Hall, what was then the House of Representatives, went down and set fire to the Senate Inn, and went to the White House, set fire there. The White House was terribly damaged inside.

□ 2200

The Capitol, by all rights, with the intensity of the fire and with the munitions that were spread to make the fire get more hot, should have collapsed and fallen in on itself, but it didn't because a rain came and put out the fire.

By the way, the next day, there was such a huge, straight-line wind. Some thought it was tornadic, but most believed it was a straight-line wind. It was so intense that it blew their canons off their mounts. Some credit the wind with killing soldiers.

''As the British troops were preparing to leave, a conversation was noted between the British admiral and a Washington lady regarding the storm. The admiral exclaimed, 'Great God, Madam! Is this the kind of storm to which you are accustomed in this infernal country?'

''The lady answered, 'No, sir. This is a special interposition of Providence to drive our enemies from our city.' '' The weather drove them out. The American soldiers were not able to.

A little history about the White House nativity scene: It's Italian—made in Naples around the time of the United States War for Independence, the late 1700s. It has been on exhibit in the East Room of the White House during the holiday season since 1967. In 1999, a new tableau was made for the nativity scene. The design of the new display was inspired by historical Neapolitan presepios, which is the Italian term for ''Christ,'' from the Baroque period, which incorporated architectural elements found in the 1700s.

That is a little bit about the nativity scene. There has been a lot said about that recently.

As far as the history of the White House Christmas tree, in 1889, the tradition of placing an indoor decorated tree in the White House began on Christmas morning during the Presidency of Benjamin Harrison. It was in 1895 that First Lady Frances Cleveland created a technology savvy tree when she hung electric lights on the White House tree, which was introduced into the White House in 1891.

There is just so much history with our Founding Fathers.

Franklin D. Roosevelt, December 24—obviously Christmas Eve—1934, said, ''This is the second year that I have joined with you on this happy occasion. Then, as now, with millions of others, we celebrate the happy observance of Christmas.

''The year toward which we looked then with anticipation and hope has passed,'' Roosevelt goes on. ''We have seen fulfilled many things that a year ago were only hopes. Our human life thus goes on from anticipation and hope to fulfillment. This year again, we are entitled to new hopes and new anticipations.''

He goes on and he says, ''Just across the street is the house he occupied 100 years ago, the house the people of the country have built for their Presidents. From its windows, I see this monument to this man of courage.'' He is talking about Washington. ''It is an inspiration to me as it should be to all Americans.

''And so let us make the spirit of Christmas of 1934 that of courage and unity. It is the way to greater happiness and well-being. That is, I believe, an important part of what the Maker of Christmas would have it mean.

''In this sense,'' Roosevelt says, ''the scriptures admonish us to be strong and of good courage, to fear not, to dwell together in unity.''

He said, ''I wish you one and all, here and everywhere, a very, very Merry Christmas.'' Franklin Roosevelt.

I have a number of other speeches that he gave on Christmas. Time will not allow me to read all of those.

I will go to 1962, John F. Kennedy, when he said: ''Ladies and gentlemen, Secretary Udall, members of the clergy: With the lighting of this tree, which is an old ceremony in Washington and one which has been among the most important responsibilities of a good many Presidents of the United States, we initiate, in a formal way, the Christmas season.

''We mark the festival of Christmas, which is the most sacred and hopeful day in our civilization. For nearly 2,000 years, the message of Christmas, the message of peace and goodwill towards all men, has been the guiding star of our endeavors.

''This morning, I had a meeting at the White House, which included some of our representatives from far countries in Africa and Asia. They were returning to their posts for the Christmas holidays. Talking with them afterwards, I was struck by the fact that, in the far-off continents, Muslims, Hindus, Buddhists, as well as Christians, pause from their labors on the 25th day of December to celebrate the birthday of the Prince of Peace.

''There could be no more striking proof that Christmas is truly the universal holiday of all men. It is the day when all of us dedicate our thoughts to others, when all are reminded that mercy and compassion are the enduring virtues, when all show by small deeds and large and by acts that it is more blessed to give than to receive.''

He goes on to talk about the Christmas spirit.

As my time grows short here, I want to finish with a speech Ronald Reagan gave, his Christmas message in 1988.

He said: ''The themes of Christmas and of coming home for the holidays have long been intertwined in song and story. There is a profound irony and lesson in this because Christmas celebrates the coming of a Savior who was born without a home.

''There was no room at the inn for the Holy Family. Weary of travel, a young Mary, close to childbirth, and her carpenter husband, Joseph, found but the rude shelter of a stable. There was born the King of Kings, the Prince of Peace—an event on which all history would turn.

''Jesus would again be without a home, and more than once—on the flight to Egypt and during His public ministry when He said, 'The foxes have holes, and the birds of the air have nests, but the Son of man hath nowhere to lay his head.' ''

Ronald Reagan goes on. ''From His very infancy on, our Redeemer was reminding us that, from then on, we would never lack a home in Him. Like the shepherds to whom the angel of the Lord appeared on the first Christmas Day, we could always say, 'Let us now go even unto Bethlehem and see this thing which is come to pass, which the Lord hath made known unto us.'

''As we come home with gladness to family and friends this Christmas, let us also remember our neighbors who cannot go home themselves. Our compassion and concern this Christmas and all year long will mean much to the hospitalized, the homeless, the convalescent, the orphaned—and will surely lead us on our way to the joy and peace of Bethlehem and the Christ Child who bids us come. For it is only in finding and living the eternal meaning of the Nativity that we can be

truly happy, truly at peace, truly home.

''Merry Christmas, and God bless you.'' Ronald Reagan.

Mr. Speaker, with that wish from Reagan, I do now hereby move that we adjourn.

BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

August 7, 2009:

H.R. 2245. An Act to authorize the President, in conjunction with the 40th anniversary of the historic and first lunar landing by humans in 1969, to award gold medals on behalf of the United States Congress to Neil A. Armstrong, the first human to walk on the moon; Edwin E. 'Buzz' Aldrin, Jr., the pilot of the lunar module and second person to walk on the moon; Michael Collins, the pilot of their Apollo 11 mission's command module; and, the first American to orbit the Earth, John Herschel Glenn, Jr.

H.R. 3114. An Act to authorize the Director of the United States Patent and Trademark Office to use funds made available under the Trademark Act of 1946 for patent operations in order to avoid furloughs and reductions-in-force, and for other purposes.

H.R. 3357. An Act to restore sums to the Highway Trust Fund, and for other purposes.

H.R. 3435. An Act making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program.

August 12, 2009:

H.R. 838. An Act to provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons, and for other purposes.

August 19, 2009:

H.J. Res. 44. A joint resolution recognizing the service, sacrifice, honor, and professionalism of the Noncommissioned Officers of the United States Army.

H.R. 774. An Act to designate the facility of the United States Postal Service located at 46–02 21st Street in Long Island City, New York, as the ''Geraldine Ferraro Post Office Building''.

H.R. 987. An Act to designate the facility of the United States Postal Service located at 601 8th Street in Freedom, Pennsylvania, as the ''John Scott Challis, Jr. Post Office''.

H.R. 1271. An Act to designate the facility of the United States Postal Service located at 2351 West Atlantic Boulevard in Pompano Beach, Florida, as the ''Elijah Pat Larkins Post Office Building''.

H.R. 1275. An Act to direct the exchange of certain land in Grand, San Juan, and Uintah Counties, Utah, and for other purposes.

H.R. 1397. An Act to designate the facility of the United States Postal Service located at 41 Purdy Avenue in Rye, New York, as the ''Caroline O'Day Post Office Building''.

H.R. 2090. An Act to designate the facility of the United States Postal Service located at 431 State Street in Ogdensburg, New York, as the ''Frederic Remington Post Office Building''.

H.R. 2162. An Act to designate the facility of the United States Postal Service located at 123 11th Avenue South in Nampa, Idaho, as the ''Herbert A Littleton Postal Station''.

H.R. 2325. An Act to designate the facility of the United States Postal Service located at 1300 Matamoros Street in Laredo, Texas, as the ''Laredo Veterans Post Office''.

H.R. 2422. An Act to designate the facility of the United States Postal Service located at 2300 Scenic Drive in Georgetown, Texas, as the ''Kile G. West Post Office Building''.

H.R. 2470. An Act to designate the facility of the United States Postal Service located at 19190 Cochran Boulevard FRNT in Port Charlotte, Florida, as the ''Lieutenant Commander Roy H. Boehm Post Office Building''.

H.R. 2938. An Act to extend the deadline for commencement of construction of a hydroelectric project.

September 18, 2009:

H.R. 3325. An Act to amend title XI of the Social Security Act to reauthorize for 1 year the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program.

September 30, 2009:

H.R. 1243. An Act to provide for the award of a gold medal on behalf of Congress to Arnold Palmer in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf.

H.R. 3614. An Act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

October 1, 2009:

H.R. 2918. An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 3607. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

October 9, 2009:

H.R. 2131. An Act to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy.

H.R. 3593. An Act to amend the United States International Broadcasting Act of 1994 to extend by one year the operation of Radio Free Asia, and for other purposes.

October 13, 2009:

H.R. 3663. An Act to amend title XVIII of the Social Security Act to delay the date on which the accreditation requirement under the Medicare Program applies to suppliers of durable medical equipment that are pharmacies.

October 19, 2009:

H.R. 1687. An Act to designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the ''Ralph Regula Federal Building and United States Courthouse''.

H.R. 2053. An Act to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the ''Albert Armendariz, Sr., United States Courthouse''.

H.R. 2121. An Act to authorize the Administrator of General Services to convey a parcel of real property in Galveston, Texas, to the Galveston Historical Foundation.

H.R. 2498. An Act to designate the Federal building located at 844 North Rush Street in Chicago, Illinois, as the ''William O. Lipinski Federal Building''.

H.R. 2913. An Act to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the ''Sidney M. Aronovitz United States Courthouse''.

October 21, 2009:

H.R. 2997. An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

October 22, 2009:

H.R. 1016. An Act to amend title 38, United States Code, to provide advance appropriations authority for certain accounts of the Department of Veterans Affairs, and for other purposes.

October 28, 2009:

H.R. 2647. An Act to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 2892. An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 3183. An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

October 29, 2009:

H.R. 621. An Act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

October 30, 2009:

H.R. 2996. An Act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

November 6, 2009:

H.J. Res. 26. A joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

H.R. 1209. An Act to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

H.R. 3548. An Act to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

H.R. 3606. An Act to amend the Truth in Lending Act to make a technical correction to an amendment made by the Credit CARD Act of 2009.

November 30, 2009:

H.R. 955. An Act to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the ''John 'Bud' Hawk Post Office''.

H.R. 1516. An Act to designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the ''Sergeant Marcus Mathes Post Office''.

H.R. 1713. An Act to name the South Central Agricultural Research Laboratory of the Department of Agriculture in Lane, Oklahoma, and the facility of the United States Postal Service located at 310 North Perry Street in Bennington, Oklahoma, in honor of former Congressman Wesley 'Wes' Watkins.

H.R. 2004. An Act to designate the facility of the United States Postal Service located at 4282 Beach Street in Akron, Michigan, as the ''Akron Veterans Memorial Post Office''.

H.R. 2215. An Act to designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the ''John J. Shivnen Post Office Building''.

H.R. 2760. An Act to designate the facility of the United States Postal Service located at 1615 North Wilcox Avenue in Los Angeles, California, as the ''Johnny Grant Hollywood Post Office Building''.

H.R. 2972. An Act to designate the facility of the United States Postal Service located at 115 West Edward Street in Erath, Louisiana, as the ''Conrad DeRouen, Jr. Post Office''.

H.R. 3119. An Act to designate the facility of the United States Postal Service located at 867 Stockton Street in San Francisco, California, as the ''Lim Poon Lee Post Office''.

H.R. 3386. An Act to designate the facility of the United States Postal Service located at 1165 2nd Avenue in Des Moines, Iowa, as the ''Iraq and Afghanistan Veterans Memorial Post Office''.

H.R. 3547. An Act to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the ''Rex E. Lee Post Office Building''.

December 15, 2009:

H.R. 4218. An Act to amend titles II and XVI of the Social Security Act to prohibit retroactive payments to individuals during periods for which such individuals are prisoners, fugitive felons, or probation or parole violators.

December 16, 2009:

H.R. 3288. An Act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes

H.R. 4217. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the Senate of the following titles:

July 31, 2009:

S. 1513. An Act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

August 12, 2009:

S. 1107. An Act to amend title 28, United States Code, to provide for a limited 6-month period for Federal judges to opt into the Judicial Survivors' Annuities System and begin contributing toward an annuity for their spouse and dependent children upon their death, and for other purposes.

August 19, 2009:

S.J. Res. 19. A joint resolution granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

September 18, 2009:

S.J. Res. 9. A joint resolution providing for the appointment of France A. Cordova as a citizen regent of the Board of Regents of the Smithsonian Institution.

September 30, 2009:

S. 1677. An Act to reauthorize the Defense Production Act of 1950, and for other purposes.

October 15, 2009:

S. 1707. An Act to authorize appropriations for fiscal year 2010 through 2014 to promote and enhanced strategic partnership with Pakistan and its people, and for other purposes.

October 19, 2009:

S. 1289. An Act to improve title 18 of the United States Code.

October 26, 2009:

S. 1717. An Act to authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010, and for other purposes.

October 30, 2009:

S. 1793. An Act to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV/AIDS.

S. 1929. An Act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

November 3, 2009:

S. 1818. An Act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and for other purposes.

November 6, 2009:

S. 832. An Act to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

S. 1694. An Act to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

November 11, 2009:

S. 475. An Act to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 509. An Act to to authorize a major medical facility project at the Department of Veterans Affairs Medical Center, Walla Walla, Washington, and for other purposes.

November 30, 2009:

S. 748. An Act to redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the ''Cesar E. Chavez Post Office''.

S. 1211. An Act to designate the facility of the United States Postal Service located at 60 School Street, Orchard Park, New York, as the ''Jack F. Kemp Post Office Building''.

S. 1314. An Act to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the ''Dr. Martin Luther King, Jr. Post Office''.

S. 1825. An Act to extend the authority for relocation expenses test programs for Federal employees, and for other purposes.

December 14, 2009:

S. 1599. An Act to amend title 38, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws.

S. 1860. An Act to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RADANOVICH (at the request of Mr. BOEHNER) for today on account of a family illness.

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today after 1:30 p.m. on account of attending a family funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. TONKO) to revise and extend their remarks and include extraneous material:)

Mr. CONYERS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. POLIS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. GRAYSON, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. CASSIDY, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, today.

Mr. ROYCE, for 5 minutes, today.

(The following Member (at her request) to revise and extend her remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1472. An act to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on December 16, 2009 she presented to the President of the United States, for his approval, the following bill.

H.J. Res. 62. Appointing the day for the convening of the second session of the One Hundred Eleventh Congress.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, pursuant to section 11(b) of House Resolution 976, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 8 minutes p.m.), pursuant to section 11(b) of House Resolution 976, the House adjourned until Saturday, December 19, 2009, at 6 p.m., unless the conditions specified in section 11(c) of that resolution are met, in which case the House shall stand adjourned pursuant to House Concurrent Resolution 223.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the third quarter and fourth quarter of 2009 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO JORDAN, LEBANON, PAKISTAN, AFGHANISTAN, AND NORWAY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 9 AND NOV. 16, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. David Price	11/10	11/11	Jordan		369.00						369.00
Hon. David Dreier	11/10	11/11	Jordan		369.00						369.00
Hon. Lois Capps	11/10	11/11	Jordan		369.00						369.00
Hon. Keith Ellison	11/10	11/11	Jordan		369.00						369.00
Hon. Mazie Hirono	11/10	11/11	Jordan		369.00						369.00
Hon. Charles Boustany	11/10	11/11	Jordan		369.00						369.00
John Lis	11/10	11/11	Jordan		369.00						369.00
Rachael Leman	11/10	11/11	Jordan		369.00						369.00
Asher Hildebrand	11/10	11/11	Jordan		369.00						369.00
Hon. David Price	11/11	11/14	Pakistan		1,053.00						1,053.00
Hon. David Dreier	11/11	11/14	Pakistan		1,053.00						1,053.00
Hon. Lois Capps	11/11	11/14	Pakistan		1,053.00						1,053.00
Hon. Keith Ellison	11/11	11/14	Pakistan		1,053.00						1,053.00
Hon. Mazie Hirono	11/11	11/14	Pakistan		1,053.00						1,053.00
Hon. Charles Boustany	11/11	11/14	Pakistan		1,053.00						1,053.00
John Lis	11/11	11/14	Pakistan		1,053.00						1,053.00
Rachael Leman	11/11	11/14	Pakistan		1,053.00						1,053.00
Asher Hildebrand	11/11	11/14	Pakistan		1,053.00						1,053.00
Hon. David Price	11/14	11/15	Afghanistan		78.00						78.00
Hon. David Dreier	11/14	11/15	Afghanistan		78.00						78.00
Hon. Lois Capps	11/14	11/15	Afghanistan		78.00						78.00
Hon. Keith Ellison	11/14	11/15	Afghanistan		78.00						78.00
Hon. Mazie Hirono	11/14	11/15	Afghanistan		78.00						78.00
Hon. Charles Boustany	11/14	11/15	Afghanistan		78.00						78.00
John Lis	11/14	11/15	Afghanistan		78.00						78.00
Rachael Leman	11/14	11/15	Afghanistan		78.00						78.00
Asher Hildebrand	11/14	11/15	Afghanistan		78.00						78.00
Hon. David Price	11/15	11/16	Norway		453.00						453.00
Hon. David Dreider	11/15	11/16	Norway		453.00						453.00
Hon. Lois Capps	11/15	11/16	Norway		453.00						453.00
Hon. Keith Ellison	11/15	11/16	Norway		453.00						453.00
Hon. Mazie Hirono	11/15	11/16	Norway		453.00						453.00
Hon. Charles Boustany	11/15	11/16	Norway		453.00						453.00
John Lis	11/15	11/16	Norway		453.00						453.00
Rachael Leman	11/15	11/16	Norway		453.00						453.00
Asher Hildebrand	11/15	11/16	Norway		453.00						453.00
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVID E. PRICE, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, KAREN WAYLAND, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 2 AND NOV. 8, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Karen Wayland	11/2	11/8	Spain		1,248.00		5,972.20		698.52		7,918.72
Committee total					1,248.00		5,972.20		698.52		7,918.72

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

KAREN WAYLAND, Dec. 8, 2009.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Daniel McGlinchey	7/16	7/29	Haiti		723.00		1,327.83				
Hon. Andre Carson	8/4	8/5	Kuwait		109.00		(3)				
	8/5	8/5	Iraq				(3)				
	8/5	8/7	United Arab Emirates	270.00			(3)				
	8/7	8/9	Germany		253.00		(3)				
Hon. Ruben Hinojosa	8/17	8/19	South Korea		798.88		(3)				
	8/19	8/20	China		291.31		(3)				
	8/20	8/22	Taiwan		661.26		(3)				
	8/22	8/24	Hong Kong		1,055.10		(3)				
Hon. Greg Meeks	8/27	8/30	Tunisia		723.00		(3)				
	8/30	9/2	Rwanda		640.00		(3)				
	9/2	9/3	Zimbabwe		317.00		(3)				
	9/3	9/4	Senegal		393.00		(3)				
Hon. Mel Watt	8/27	8/30	Tunisia		723.00		(3)				
	8/30	9/2	Rwanda		640.00		(3)				
	9/2	9/3	Zimbabwe		317.00		(3)				
	9/3	9/4	Senegal		393.00		(3)				
Stephane LeBouder	8/27	8/30	Tunisia		723.00		(3)				
	8/30	9/2	Rwanda		640.00		(3)				
	9/2	9/3	Zimbabwe		317.00		(3)				
	9/3	9/4	Senegal		393.00		(3)				
Sanders Adu	8/27	8/30	Tunisia		723.00		(3)				
	8/30	9/2	Rwanda		640.00		(3)				
	9/2	9/3	Zimbabwe		317.00		(3)				
	9/3	9/4	Senegal		393.00		(3)				
David Oxner	8/27	8/30	Tunisia		723.00		(3)				
	8/30	9/2	Rwanda		640.00		(3)				
	9/2	9/3	Zimbabwe		317.00		(3)				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	9/3	9/4	Senegal		393.00		(3)				
Eric Thompson	8/27	8/30	Tunisia		723.00		(3)				
	8/30	9/2	Rwanda		640.00		(3)				
	9/2	9/3	Zimbabwe		317.00		(3)				
	9/3	9/4	Senegal		393.00		(3)				
Hon. Paul Kanjorski	8/30	9/1	France		1,388.00		(3)				
	9/1	9/2	Belgium		523.00		(3)				
	9/2	9/7	United Kingdom		2,320.00		(3)				
Hon. Luis Gutierrez	8/30	9/1	France		1,388.00		(3)				
	9/1	9/2	Belgium		523.00		(3)				
	9/2	9/7	United Kingdom		2,320.00		(3)				
Hon. Scott Garrett	8/30	9/1	France		1,313.00		(3)				
	9/1	9/2	Belgium		523.00		(3)				
	9/2	9/7	United Kingdom		2,245.00		(3)				
Todd Harper	8/31	9/1	France		694.00		560.10				
	9/1	9/2	Belgium		480.00		(3)				
	9/2	9/7	United Kingdom		2,320.00		(3)				

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES FOR TRAVEL AUTHORIZED BY THE SPEAKER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN 7/1 AND 9/30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Kathleen Mellody	8/30	9/1	France		1,388.00		(3)				
	9/1	9/2	Belgium		480.00		(3)				
	9/2	9/7	United Kingdom		2,320.00		(3)				
Karen Feather	8/30	9/1	France		1,388.00		(3)				
	9/1	9/2	Belgium		480.00		(3)				
	9/2	9/7	United Kingdom		2,320.00		(3)				
Cynthia Chetti	8/30	9/1	France		1,333.10		(3)				
	9/1	9/2	Belgium		436.80		(3)				
	9/2	9/7	United Kingdom		2,320.00		(3)				
Scott Eckel	8/30	9/1	France		1,298.00		(3)				
	9/1	9/2	Belgium		480.00		(3)				
	9/2	9/7	United Kingdom		2,170.00		(3)				
Amy Smith	8/30	9/1	France		1,300.00		(3)				
	9/1	9/2	Belgium		480.00		(3)				
	9/2	9/7	United Kingdom		2,217.00		(3)				
Hon. Gwen Moore	8/16	8/17	Liberia		536.40		(3)				
	8/17	8/19	Ghana		294.00		(3)				
	8/19	8/23	South Africa		1,806.07		(3)				
	8/23	8/24	Morocco		341.00		(3)				
Hon. Alan Grayson	6/27	6/29	Saudi Arabia		206.00		10,186.34				
	6/29	7/2	Pakistan		243.00		(3)				
Dennis Shaul	6/27	6/29	Saudi Arabia		206.00		10,186.34				
	6/29	7/2	Pakistan		286.00		(3)				
Matt Stoller	6/27	6/29	Saudi Arabia		206.00		10,186.34				
	6/29	7/02	Pakistan		286.00		(3)				
Committee total											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
(3) Military air transportation.

Hon. BARNEY FRANK, Chairman, Dec. 7, 2009.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5120. A letter from the Deputy Secretary, Department of Defense, transmitting authorization of 12 officers to wear the authorized insignia of the grade of major general, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

5121. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Amendments to Rules For Nationally Recognized Statistical Rating Organizations [Release No. 34-61050; File No. S7-04-09] (RIN: 3235-AK14) received November 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5122. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's ''Major'' final rule — Loan Guarantees for Projects That Employ Innovative Technologies (RIN: 1901-AB27) received December 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5123. A letter from the Secretary, Department of Health and Human Services, transmitting the annual financial report to Congress required by the Medical Device User Fee and Modernization Act of 2002 (MDUFMA), covering FY 2008; to the Committee on Energy and Commerce.

5124. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Wassenaar Arrangement 2008 Plenary Agreements Implementation: Categories 1, 2, 3, 4, 5 Parts I and II, 6, 7, 8, and 9 of the Commerce Control List, Definitions, Reports [Docket No.: 0908041218-91220-01] (RIN: 0694 AE58) received December 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

5125. A letter from the Secretary, Department of Veterans Affairs, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

5126. A letter from the Secretary, Department of Education, transmitting the fifty-ninth Semiannual Report to Congress on Audit Follow-Up, covering the period April 1, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

5127. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period April 1, 2009 through September 30, 2009, pursuant to Section 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

5128. A letter from the Chairman, Broadcasting Board of Governors, transmitting the semiannual report on the activities of the Office of Inspector General for the period from April 1, 2009 to September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

5129. A letter from the Acting Chief Executive Officer, Corporation for National and

Community Service, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2009 through September 30, 2009; to the Committee on Oversight and Government Reform.

5130. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5131. A letter from the Secretary, Department of Labor, transmitting the Board's semiannual report from the office of the Inspector General for the period April 1, 2009 through September 30, 2009, pursuant to Section 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

5132. A letter from the Acting Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Fiscal Year 2009 Performance and Accountability Report; to the Committee on Oversight and Government Reform.

5133. A letter from the Chairman, Federal Communications Commission, transmitting Commission's Fiscal Year 2009 Agency Financial Report; to the Committee on Oversight and Government Reform.

5134. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-37; Introduction [Docket: FAR 2009-0001, Sequence 8] received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5135. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-035; Registry of Disaster Response Contractors [FAC 2005-37; FAR Case 2008-035; Item I; Docket 2009-0033, Sequence 1] (RIN: 9000-AL30) received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5136. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2007-008, Limiting Length of Noncompetitive Contracts in ''Unusual and Compelling Urgency'' Circumstances [FAC 2005-37; FAR Case 2007-008; Item II; Docket 2007-0001, Sequence 14] (RIN: 9000-AK90) received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5137. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-026, GAO Access to Contractor Employees [FAC 2005-37; FAR Case 2008-026; Item III; Docket 2009-0013, Sequence 1] (RIN: 9000-AL25) received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5138. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-034, Use of Commercial Services Item Authority [FAC 2005-37; FAR Case 2008-034; Item IV; Docket 2009-0035, Sequence 1] (RIN: 9000-AL44) received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5139. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-0031, Limitations on Pass-Through Charges [FAC 2005-37; FAR Case 2008-031; Item V; Docket 2009-0034, Sequence 1] (RIN: 9000-AL27) received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5140. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-008, Award Fee Language Revision [FAC 2005-37; FAR Case 2008-008; Item VI; Docket 2009-0036, Sequence 1](RIN: 9000-AL42) received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5141. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-003, National Response Framework [FAC 2005-37; FAR Case 2009-003; Item VII; Docket 2009-0037; Sequence 1] (RIN: 9000-AL37) received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5142. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-37; Item VIII; Docket 2009-0009; Sequence 5] received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5143. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-37; Small Entity Compliance Guide [Docket: FAR 2009-0002, Sequence 8] received October 16, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5144. A letter from the Acting Deputy Director, International Broadcasting Bureau, transmitting Federal Information Security Management Act (FISMA) Report; to the Committee on Oversight and Government Reform.

5145. A letter from the Director, Office of Government Ethics, transmitting the Office's Performance Accountability Report for Fiscal Year 2009; to the Committee on Oversight and Government Reform.

5146. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5147. A letter from the Chairman, Postal Service, transmitting the Semiannual Report of the Inspector General on the Audit, Investigative, and Security Activities of the Postal Service (SAR) for the period of April 1, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

5148. A letter from the Chairman, Railroad Retirement Board, transmitting the Board's Office of Inspector General Semiannual Report for the period April 1, 2009 through September 30, 2009, pursuant to Public Law 95-452, section 5; to the Committee on Oversight and Government Reform.

5149. A letter from the Board Memebers, Railroad Retirement Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2009, including the Office of Inspector General's Auditor's Report; to the Committee on Oversight and Government Reform.

5150. A letter from the Chief Human Capital Officer, Small Business Adminsitration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5151. A letter from the Secretary, Department of the Interior, transmitting notification that the Department intends to accept a donation of two contiguous tracts of land totaling 79.97 acres within Lassen Volcanic National Park, pursuant to 16 U.S.C. 1135(a); to the Committee on Natural Resources.

5152. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Halibut in the Gulf of Alaska [Docket No.: 09100091344-9056-02] (RIN: 0648-XS89) received December 1, 2009; to the Committee on Natural Resources.

5153. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 15B; Reef Fish Fishery of the Gulf of Mexico [Docket No.: 080226312-91249-03] (RIN: 0648-AW12) received December 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5154. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 0809121213-9221-02] (RIN: 0648-AY30) received December 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5155. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Modification to the Gulf of Maine/Georges Bank Herring Midwater Trawl Gear Letter of Authorization [Docket No.: 0907281181-91369-02] (RIN: 0648-AX93) received December 1, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5156. A letter from the Acting Assistant Administrator For Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska, Groundfish Observer Program; Correction [Docket No.: 090601946-91010-01] (RIN: 0648-AX94) received October 28, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5157. A letter from the Program Analyst, Department of Tranportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318-111, -112, A319, A320, and A321 Series Airplanes [Docket No.: FAA-2008-1215; Directorate Identifier 2008-NM-072-AD; Amendment 39-16077; AD 2009-23-05] (RIN: 2120-AA64) November 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5158. A letter from the Program Analyst, Department of Transporation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No.: FAA-2007-28281; Directorate Identifier 2006-NM-238-AD; Amendment 39-16076; AD 2009-23-04] (RIN: 2120-AA64) received November 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5159. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; Bombardier Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601), CL-600-2B16 (CL-601-3A) Airplanes [Docket No.: FAA-2009-0689; Directorate Identifier 2009-NM-092-AD; Amendment 39-16081; AD 2009-23-09] (RIN: 2120-AA64) November 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5160. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No.: FAA-2009-0310; Directorate Identifier 2009-NM-012-AD; Amendment 39-16073; AD 2009-23-02] (RIN: 2120-AA64) November 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5161. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate previously held by Raytheon Aircraft Company) Models 1900, 1900C, and 1900D Airplanes [Docket No.: FAA-2009-0165; Directorate Identifier 2008-CE-055-AD; Amendment 39-16075; AD 2009-23-03] (RIN: 2120-AA64) November 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5162. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A. Model PIAGGIO P-180 Airplanes [Docket No.: FAA-2009-0699; Directorate Identifier 2009-CE-042-AD; Amendment 39-16047; AD 2009-21-08] (RIN: 2120-AA64) November 24, 200 9, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5163. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aerosystems Model SAAB 340A (SAAB/SF340A) SAAB 340B Airplanes [Docket No.: FAA-2009-0134; Directorate Identifier 2008-NM-162-AD; Amendment 39-16079; AD 2009-23-07] (RIN: 2120-AA64) N ovember 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5164. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Model TBM 700 Airplanes [Docket No.: FAA-2009-0557; Directorate Identifier 2009-CE-031-AD; Amendment 39-16086; AD 2009-23-12] (RIN: 2120-AA64) November 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5165. A letter from the Assistant Secretary, Employment and Training Administration, Department of Labor, transmitting the Department's final rule — ETA Explains Changes made to TAA Program By Globalization Adjustment Assistance Act received November 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5166. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2010 Limitations Adjusted As Provided in Section 415(d), etc. [Notice 2009-94] received November 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5167. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Agreements for Payment of Tax Liabilities in Installments [TD 9473] (RIN: 1545-AU97) received November 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5168. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Publication of the Tier 2 Tax Rates received November 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5169. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Notice Requirements for Certain Pension Plan Amendments Significantly Reducing the Rate of Future Benefit Accrual [TD 9472] (RIN: 1545-BG48), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5170. A letter from the Chairman, Commmission on Civil Rights, transmitting a report entitled ''Civil Rights and the Mortgage Crisis''; jointly to the Committees on the Judiciary and Financial Services.

5171. A letter from the Inspector General, Department of Health and Human Services, transmitting a report entitled ''Review of Medicare Contractor Information Security Program Evaluations for Fiscal Year 2006''; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. PINGREE of Maine: Committee on Rules. House Resolution 976. Resolution providing for consideration of the Senate amendment to the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; for consideration of the joint resolution (H.J. Res. 64) making further continuing appropriations for fiscal year 2010, and for other purposes; for consideration of the bill (H.R. 4314) to permit continued financing of Government operations; for consideration of the Senate amendment to the bill (H.R. 2847) making appropriations for the Department of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; and for other purposes (Rept. 111–380). Referred to the House Calendar.

Mr. WAXMAN. Committee on Energy and Commerce. H.R. 2190. A bill to amend the Toxic Substance Control Act to phase out the use of mercury in the manufacture of chlorine and caustic soda, and for other purposes; with an amendment (Rept. 111–381). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCOTT of Virginia (for himself, Mr. CONYERS, Mr. SMITH of Texas, Mr. NADLER of New York, Mr. DELAHUNT, Mr. COBLE, and Mr. DANIEL E. LUNGREN of California):

H.R. 4326. A bill to provide appropriate protection to attorney-client privileged communications and attorney work product; to the Committee on the Judiciary.

By Mr. SCOTT of Virginia:

H.R. 4327. A bill to amend title 18, United States Code, with respect to the good time credit toward service of sentences of imprisonment; to the Committee on the Judiciary.

By Mr. SCOTT of Virginia (for himself, Mr. CONYERS, and Mr. LEWIS of Georgia):

H.R. 4328. A bill to amend title 18, United States Code, to award credit toward the service of a sentence to prisoners who participate in designated educational, vocational, treatment, assigned work, or other developmental programs, and for other purposes; to the Committee on the Judiciary.

By Mr. WITTMAN:

H.R. 4329. A bill to require the Secretary of the Treasury to mint coins in commemoration of President James Monroe, and for other purposes; to the Committee on Financial Services.

By Mr. POLIS (for himself, Ms. BERKLEY, Mr. CAO, Ms. DEGETTE, Mr. EHLERS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. KLEIN of Florida, Ms. KOSMAS, Mr. MURPHY of Connecticut, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. NORTON, Mr. PAULSEN, Mr. PERLMUTTER, and Mr. PERRIELLO):

H.R. 4330. A bill to provide high-quality public charter school options for students by enabling such public charter schools to expand and replicate; to the Committee on Education and Labor.

By Mr. BACHUS (for himself, Mr. GUTIERREZ, and Mr. TIBERI):

H.R. 4331. A bill to amend title 31, United States Code, to establish the Office of Money Services Business Compliance within the Department of the Treasury for the purpose of assuring compliance with subchapter II of chapter 53 of such title by money services businesses and such other duties as the Secretary of the Treasury may delegate, and for other purposes; to the Committee on Financial Services.

By Mr. MCKEON:

H.R. 4332. A bill to provide to the Secretary of Interior a mechanism to cancel contracts for the sale of materials CA-20139 and CA-22901, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARR (for himself, Mr. PUTNAM, Ms. RICHARDSON, Mr. BLUMENAUER, Mr. KAGEN, Mr. MICHAUD, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Ms. MATSUI, Ms. WASSERMAN SCHULTZ, Mr. MORAN of Virginia, Mr. COSTA, Mr. SERRANO, Mr. COURTNEY, Ms. HIRONO, and Mrs. CAPPS):

H.R. 4333. A bill to amend the Richard B. Russell National School Lunch Act to improve the health and well-being of school children, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRIGHT (for himself and Mr. ELLSWORTH):

H.R. 4334. A bill to provide grants for the renovation, modernization, and construction of law enforcement facilities; to the Committee on the Judiciary.

By Mr. SCOTT of Virginia:

H.R. 4335. A bill to provide for the redress of prison abuses, and for other purposes; to the Committee on the Judiciary.

By Mr. DEAL of Georgia (for himself, Mr. GINGREY of Georgia, Mr. WESTMORELAND, Mr. LINDER, and Mr. PAUL):

H.R. 4336. A bill to provide that pay for Members of Congress be reduced following any fiscal year in which there is a Federal

deficit; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. NEAL of Massachusetts, Mr. CROWLEY, and Ms. SCHWARTZ):

H.R. 4337. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes; to the Committee on Ways and Means.

By Mr. MELANCON:

H.R. 4338. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes; to the Committee on the Judiciary.

By Mr. SABLAN:

H.R. 4339. A bill to encourage students from the Commonwealth of the Northern Mariana Islands to become civically engaged through local and Federal government fellowships; to the Committee on Natural Resources.

By Mr. DAVIS of Alabama:

H.R. 4340. A bill to require the Secretary of the Treasury to establish a revolving loan fund program for certain businesses to facilitate increased lending in the United States; to the Committee on Financial Services.

By Mr. RYAN of Ohio (for himself, Mr. KENNEDY, Mr. HINCHEY, and Mr. ISRAEL):

H.R. 4341. A bill to amend the Federal Food, Drug, and Cosmetic Act to require a warning on the label of any food container that is composed, in whole or in part, of bisphenol A or could release bisphenol A into food; to the Committee on Energy and Commerce.

By Mr. MCCOTTER (for himself and Mr. BACHUS):

H.R. 4342. A bill to amend the Emergency Economic Stabilization Act of 2008 to terminate the Secretary of the Treasury's authority under the Troubled Asset Relief Program, and for other purposes; to the Committee on Financial Services.

By Mr. RUSH:

H.R. 4343. A bill to establish in the Department of Commerce the Minority Business Development Program to provide qualified minority businesses with technical assistance, loan guarantees, and contracting opportunities, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOTTER (for himself, Mr. BURTON of Indiana, and Mr. TIBERI):

H.R. 4344. A bill to prohibit the Environmental Protection Agency from obligating any amounts for the regulation of emissions of carbon dioxide; to the Committee on Energy and Commerce.

By Mr. DAVIS of Alabama (for himself, Mr. BRIGHT, Mr. ROGERS of Alabama, Mr. GRIFFITH, Mr. BONNER, Mr. BACHUS, and Mr. ADERHOLT):

H.R. 4345. A bill to establish the Alabama Black Belt National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. CONYERS (for himself, Mr. DANIEL E. LUNGREN of California, Ms. JACKSON-LEE of Texas, and Mr. HASTINGS of Florida):

H.R. 4346. A bill to establish a commission to commemorate the ending of chattel slavery in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. BOREN (for himself and Mr. WALZ):

H.R. 4347. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Natural Resources.

By Mr. WITTMAN:

H.R. 4348. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for expenses incurred in teleworking; to the Committee on Ways and Means.

By Mrs. NAPOLITANO (for herself, Mr. BACA, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BILBRAY, Mrs. BONO MACK, Mr. CALVERT, Mr. CAMPBELL, Mrs. CAPPS, Ms. CHU, Mr. COSTA, Mrs. DAVIS of California, Mr. DREIER, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARAMENDI, Mr. GRIJALVA, Ms. HARMAN, Mr. HELLER, Mr. HONDA, Mr. HUNTER, Mr. ISSA, Ms. LEE of California, Mr. LEWIS of California, Ms. MATSUI, Mr. MCCARTHY of California, Mr. MCKEON, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Ms. RICHARDSON, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SHADEGG, Mr. SHERMAN, Mr. SCHIFF, Ms. TITUS, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Ms. WOOLSEY, and Mr. FLAKE):

H.R. 4349. A bill to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes; to the Committee on Natural Resources.

By Mr. ISSA (for himself, Mr. REYES, Mr. SKELTON, Mr. HOEKSTRA, Mr. MCKEON, and Mr. TOWNS):

H.R. 4350. A bill to amend the Immigration and Nationality Act to provide for nonimmigrant status for an alien who is the parent or legal guardian of a United States citizen child if the child was born abroad and is the child of a deceased member of the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. LIPINSKI (for himself, Ms. EDWARDS of Maryland, Ms. KAPTUR, Mr. MICHAUD, Mr. MASSA, Mr. COSTELLO, Mr. GRIJALVA, Mr. STARK, Mr. BRALEY of Iowa, Mr. HARE, Mr. VISCLOSKY, Mr. SCHAUER, Ms. SHEA-PORTER, Mr. MURPHY of Connecticut, Mr. DEFAZIO, Ms. SUTTON, Mr. KAGEN, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 4351. A bill to amend the Buy American Act to increase the requirement for American-made content, to tighten the waiver provisions, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MCCARTHY of California:

H.R. 4352. A bill to amend the Federal Water Pollution Control Act to authorize additional assistance for projects to construct publicly owned treatment works that serve small and disadvantaged communities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RUSH:

H.R. 4353. A bill to require the Federal Communications Commission to authorize access by owners and operators of certain wireless microphones to a geolocation database maintained for the purpose of prohibiting the operation of unlicensed TV band devices on protected frequencies, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California (for herself and Mr. PLATTS):

H.R. 4354. A bill to recruit, support, and prepare principals to improve student academic achievement at high-need schools; to the Committee on Education and Labor.

By Ms. JACKSON-LEE of Texas:

H.R. 4355. A bill to authorize the Secretary of Labor to make grants to States, units of local government, and Indian tribes to carry out employment training programs; to the Committee on Education and Labor.

By Mr. ACKERMAN (for himself, Mr. LATOURETTE, Mr. GRIJALVA, Mr. ISRAEL, Mr. CASTLE, Ms. SHEA-PORTER, Mr. MOORE of Kansas, Mr. NADLER of New York, Ms. MOORE of Wisconsin, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SUTTON, Mr. MORAN of Virginia, Mr. SHULER, Mr. KING of New York, Mr. LEWIS of Georgia, Mr. SHERMAN, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Mr. JACKSON of Illinois, Mr. BLUMENAUER, Mrs. LOWEY, Ms. SCHAKOWSKY, Mr. KUCINICH, Mr. GEORGE MILLER of California, Mr. MICHAUD, Mr. CROWLEY, Mr. GERLACH, Mr. CUMMINGS, Mr. MARKEY of Massachusetts, Mr. INSLEE, Mr. DOYLE, Mr. SERRANO, and Ms. LEE of California):

H.R. 4356. A bill to amend the Humane Methods of Slaughter Act of 1958 to ensure the humane slaughter of nonambulatory cattle, and for other purposes; to the Committee on Agriculture.

By Mr. BACA (for himself and Mr. GENE GREEN of Texas):

H.R. 4357. A bill to use amounts repaid to the Treasury under the Troubled Assets Relief Program for relief to displaced and low-wage workers, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN:

H.R. 4358. A bill to amend the Child Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families, and for other purposes; to the Committee on Education and Labor.

By Mr. BOOZMAN (for himself and Mr. WALZ):

H.R. 4359. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to guarantee housing loans for the construction energy efficient dwellings, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CAMPBELL (for himself, Mr. ROHRABACHER, Mr. FILNER, Mr. MCCARTHY of California, Mr. HUNTER, Mr. DANIEL E. LUNGREN of California, Mr. RADANOVICH, Mr. CALVERT, Mr. WAXMAN, Mrs. DAVIS of California, Mr. LEWIS of California, Mr. MCKEON, Mr. MCCLINTOCK, Ms. RICHARDSON, Mr. GALLEGLY, Ms. WATSON, Mr. DREIER, Ms. ZOE LOFGREN of California, Ms. LINDA T. SÁNCHEZ of California, Ms. SPEIER, Mr. SHERMAN, Mr. COSTA, Mr. ISSA, Mr. NUNES, Mrs. BONO MACK, Mr. ROYCE, Mr. BACA, Ms. LORETTA SANCHEZ of California, Mr. BERMAN, Ms. CHU, Mr. MCNERNEY, Mr. HERGER, Mr. SCHIFF, Mr. CARDOZA, and Ms. HARMAN):

H.R. 4360. A bill to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the ''Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center''; to the Committee on Veterans' Affairs.

By Mr. CAMPBELL:

H.R. 4361. A bill to amend the Internal Revenue Code of 1986 to eliminate contribution limitations for retirement plans and increase penalties attributable to such contributions; to the Committee on Ways and Means.

By Mr. CAO:

H.R. 4362. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income remediation payments for hazardous drywall; to the Committee on Ways and Means.

By Mrs. CAPPS:

H.R. 4363. A bill to establish a regulatory system and research program for sustainable offshore aquaculture in the United States exclusive economic zone, and for other purposes; to the Committee on Natural Resources.

By Mr. COHEN:

H.R. 4364. A bill to protect first amendment rights of petition and free speech by preventing States and the United States from allowing meritless lawsuits arising from acts in furtherance of those rights, commonly called ''SLAPPs'', and for other purposes; to the Committee on the Judiciary.

By Mr. MARIO DIAZ-BALART of Florida:

H.R. 4365. A bill to limit the distribution of funds for campaign-related work under the American Recovery and Reinvestment Act of 2009, to reduce the deficit, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DONNELLY of Indiana:

H.R. 4366. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for qualified motor vehicle taxes for motor homes; to the Committee on Ways and Means.

By Mr. ELLISON (for himself and Mr. DEFAZIO):

H.R. 4367. A bill to alter requirements relating to recommendations for funding by the Federal Transit Administration of fixed guideway projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ENGEL (for himself, Mr. MEEKS of New York, Mr. HONDA, Mr. SIRES, Mr. MCGOVERN, and Ms. LEE of California):

H.R. 4368. A bill to authorize the establishment of a Social Investment and Economic Development for the Americas Fund to reduce poverty, expand the middle class, and foster increased economic opportunity in that region, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRANK of Massachusetts (for himself, Mr. TIERNEY, Mr. JONES, and Ms. PINGREE of Maine):

H.R. 4369. A bill to allow the United States-Canada Transboundary Resource Sharing Understanding to be considered an international agreement for the purposes of section 304(e)(4) of the Magnuson-Stevens Fishery Conservation and Management Act; to the Committee on Natural Resources.

By Mr. GONZALEZ (for himself and Ms. NORTON):

H.R. 4370. A bill to require railroad carriers to prepare and maintain a plan for notifying local emergency responders before transporting hazardous materials through their jurisdictions; to the Committee on Transportation and Infrastructure.

By Mr. GONZALEZ (for himself, Mr. ORTIZ, Mr. BOREN, Mr. GRIFFITH, Mr. THORNBERRY, Mr. MEEK of Florida, Mr. COURTNEY, Mr. GARRETT of New Jersey, Mr. ARCURI, Mr. CARNAHAN, Mr. HALL of Texas, Mr. RUPPERSBERGER, Mr. MORAN of Virginia, Mr. SCOTT of Georgia, Mr. AKIN, Mr. PITTS, Mr. CUELLAR, Mr. KAGEN, Mr. MCINTYRE, Mr. GRAYSON, Mrs. MCCARTHY of New York, Mr. BISHOP of Georgia, Mr. CUMMINGS, Mr. MASSA, Mr. BARTLETT, Mr. COHEN, Mr. PETERS, Mr. BERRY, Mr. HIMES, Ms. MCCOLLUM, Mr. BISHOP of New York, Mrs. LOWEY, Mr. MAFFEI, Mr. CLAY, Mr. MURPHY of New York, Mrs. CHRISTENSEN, Mr. KRATOVIL, Mr. ROE of Tennessee, Mr. WITTMAN, Mr. BUTTERFIELD, Mr. ISRAEL, Mr. LUETKEMEYER, Mr. RUSH, Mr. MARCHANT, Mr. HILL, Ms. WASSERMAN SCHULTZ, Mr. LINCOLN DIAZ-BALART of Florida, Ms. NORTON, Mr. LOBIONDO, Ms. KOSMAS, Mr. DENT, Mr. FALEOMAVAEGA, Mrs. BIGGERT, Mr. ADLER of New Jersey, Mr. GERLACH, and Mr. PAUL):

H.R. 4371. A bill to amend title XVIII of the Social Security Act to continue using 2009 Medicare practice expense relative value units for certain cardiology services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES (for himself and Mr. CLEAVER):

H.R. 4372. A bill to direct the Secretary of Transportation to establish a pilot program for evaluating technologies that are likely to prevent adverse weather effects associated with freezing temperatures on bridges, improve bridge safety, extend the life of bridges, and promote energy efficiency on bridges on the National Highway System; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Florida (for himself, Mr. MEEK of Florida, Mr. BARROW, Ms. JACKSON-LEE of Texas, Mr. STARK, and Mrs. NAPOLITANO):

H.R. 4373. A bill to amend title XVIII of the Social Security Act to stabilize and modernize the provision of partial hospitalization services under the Medicare Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH SANDLIN (for herself and Mr. HERGER):

H.R. 4374. A bill to amend the Internal Revenue Code of 1986 to extend the credit for electricity produced from biomass, to provide credit rate parity under such credit, and to exclude certain unprocessed fuels from the cellulosic biofuel producer credit; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mr. INSLEE, Mr. TIERNEY, Mr. DEFAZIO, Ms. KAPTUR, and Mr. MCDERMOTT):

H.R. 4375. A bill to restore certain provisions of the Banking Act of 1933, commonly referred to as the ''Glass-Steagall Act'', and for other purposes; to the Committee on Financial Services.

By Mr. ISRAEL (for himself, Mr. FRANK of Massachusetts, Ms. BALDWIN, Mr. POLIS, Mr. SERRANO, Mr. MORAN of Virginia, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. TOWNS, Mr. ACKERMAN, Mr. WEINER, Mr. GUTIERREZ, Mr. HONDA, Mr. CAPUANO, Ms. SPEIER, Mr. CROWLEY, Ms. PINGREE of Maine, Mr. NADLER of New York, Ms. WATSON, Mrs. MALONEY, Mr. QUIGLEY, Mr. SABLAN, Ms. SUTTON, Mr. SHERMAN, Mrs. CAPPS, Ms. BERKLEY, Ms. LINDA T. SÁNCHEZ of California, Mr. PETERS, Ms. ZOE LOFGREN of California, Mr. WAXMAN, Ms. LEE of California, Ms. WASSERMAN SCHULTZ, Mr. ENGEL, Mr. OLVER, Mr. ANDREWS, Mr. HINCHEY, Mr. LUJAN, Mr. KENNEDY, Mr. WU, Ms. CLARKE, Ms. CHU, Mr. MCGOVERN, Mr. CLAY, Mr. TONKO, and Mr. MURPHY of Connecticut):

H.R. 4376. A bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit; to the Committee on Financial Services.

By Ms. KAPTUR:

H.R. 4377. A bill to repeal certain provisions of the Gramm-Leach-Bliley Act and revive the separation between commercial banking and the securities business, in the manner provided in the Banking Act of 1933, the so-called ''Glass-Steagall Act'', and for other purposes; to the Committee on Financial Services.

By Mr. KISSELL:

H.R. 4378. A bill to amend the Americans with Disabilities Act to require that the same access to transportation and public accommodations be afforded to certified trainers of service animals as is afforded under such Act to individuals with disabilities who use such service animals; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN:

H.R. 4379. A bill to amend title 10, United States Code, to require contractors and subcontractors working on military construction projects to comply with licensing requirements for employees working at the project location; to the Committee on Armed Services.

By Mr. LEVIN (for himself and Mr. BRADY of Texas):

H.R. 4380. A bill to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes; to the Committee on Ways and Means.

By Ms. ZOE LOFGREN of California (for herself and Mr. GEORGE MILLER of California):

H.R. 4381. A bill to reform the H-2B program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY:

H.R. 4382. A bill to authorize the Secretary of Housing and Urban Development to make grants to nonprofit community organizations for the development of open space on municipally owned vacant lots in urban areas; to the Committee on Financial Services.

By Mr. MARSHALL (for himself, Mr. ACKERMAN, Mr. ARCURI, Mr. BISHOP of New York, Ms. CLARKE, Mr. CROWLEY, Mr. ENGEL, Mr. HALL of New York, Mr. HIGGINS, Mr. HINCHEY, Mr. ISRAEL, Mr. KING of New York, Mr. LEE of New York, Mrs. LOWEY, Mr. MAFFEI, Mr. MASSA, Mrs. MCCARTHY of New York, Mr. MCMAHON, Mrs. MALONEY, Mr. MEEKS of New York, Mr. MURPHY of New York, Mr. NADLER of New York, Mr. OWENS, Mr. RANGEL, Mr. SERRANO, Ms. SLAUGHTER, Mr. TONKO, Mr. TOWNS, Ms. VELÁZQUEZ, and Mr. WEINER):

H.R. 4383. A bill to amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer

in the same manner as is provided for breast and cervical cancer; to the Committee on Energy and Commerce.

By Mr. MATHESON:

H.R. 4384. A bill to establish the Utah Navajo Trust Fund Commission, and for other purposes; to the Committee on Natural Resources.

By Mr. MEEK of Florida (for himself, Ms. LINDA T. SÁNCHEZ of California, and Mr. CARNAHAN):

H.R. 4385. A bill to authorize the issuance of United States War Bonds to aid in funding of the operations in Iraq and Afghanistan; to the Committee on Ways and Means.

By Mr. MICHAUD (for himself, Ms. TSONGAS, Ms. HARMAN, Mr. RYAN of Ohio, and Mrs. DAVIS of California):

H.R. 4386. A bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities; to the Committee on Armed Services.

By Mr. MILLER of Florida:

H.R. 4387. A bill to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the ''Winston E. Arnow Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. MURPHY of New York (for himself and Mr. CARNEY):

H.R. 4388. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the donation of wild game meat; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 4389. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to taxpayers using energy derived from biomass to power domestic paper, pulp and paperboard manufacturing process facilities; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 4390. A bill to amend title XI of the Social Security Act to provide for enhanced program and provider protections under the Medicare, Medicaid, and Children's Health Insurance programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL:

H.R. 4391. A bill to amend the Internal Revenue Code of 1986 to exclude from an employee's gross income any employer-provided supplemental instructional services assistance, and for other purposes; to the Committee on Ways and Means.

By Mr. PAYNE (for himself, Ms. WATSON, Mr. FATTAH, Mr. RUSH, Mr. LEWIS of Georgia, Ms. CLARKE, Ms. JACKSON-LEE of Texas, Ms. WOOLSEY, Ms. FUDGE, Mr. JACKSON of Illinois, and Mr. BISHOP of Georgia):

H.R. 4392. A bill to amend the Foreign Assistance Act of 1961 to provide assistance to expand, improve, support, and promote higher education in the countries of sub-Saharan Africa; to the Committee on Foreign Affairs.

By Mr. PETERS (for himself, Mr. EHLERS, Mr. DINGELL, Ms. DELAURO, Mr. RYAN of Ohio, Mr. MCGOVERN, Mr. BRADY of Pennsylvania, Mr. HOLDEN, Mr. COSTELLO, Ms. KAPTUR, Mr. WILSON of Ohio, Mr. STUPAK, Ms. FUDGE, Ms. MARKEY of Colorado, Ms. CORRINE BROWN of Florida, Mr. HARE, Ms. SUTTON, Mr. SCHAUER, Mr. KILDEE, Mr. CARNEY, Mr. CAMP, Mr. INSLEE, Mr. LUETKEMEYER, Mr. DENT, Mr. MILLER of North Carolina, Mr. FORTENBERRY, Mrs. MILLER of Michigan, Mr. GINGREY of Georgia, Mr. ROGERS of Michigan, Mr. COURTNEY, Mr. LIPINSKI, Mr. REYES, Mr. WELCH, Mr. FILNER, Mr. TONKO, Mr. SIMPSON, Mr. CARNAHAN, Mr. LATOURETTE, Ms. KILPATRICK of Michigan, Mr. TIM MURPHY of Pennsylvania, Mr. PLATTS, and Mr. MINNICK):

H.R. 4393. A bill to authorize the Secretary of Commerce to reduce the matching requirement for participants in the Hollings Manufacturing Extension Partnership Program; to the Committee on Science and Technology.

By Ms. PINGREE of Maine:

H.R. 4394. A bill to provide for a phased ban on decabrominated diphenylether and mixtures or products containing that chemical, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS:

H.R. 4395. A bill to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes; to the Committee on Natural Resources.

By Mr. POMEROY:

H.R. 4396. A bill to amend the Clean Air Act to provide that greenhouse gases are not subject to the Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SABLAN:

H.R. 4397. A bill to clarify the transitional status of certain aliens not provided for in subtitle A of title VII of the Consolidated Natural Resources Act of 2008, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALAZAR (for himself, Ms. DEGETTE, Ms. MARKEY of Colorado, Mr. POLIS of Colorado, Mr. PERLMUTTER, Mr. LAMBORN, Mr. COFFMAN of Colorado, Mr. MINNICK, Mr. LUJÁN, Mrs. KIRKPATRICK of Arizona, and Ms. BERKLEY):

H.R. 4398. A bill to address public safety risks in western States by facilitating insect and disease infestation treatment of National Forest System land and certain adjacent land, to make permanent the good-neighbor authority for Colorado and stewardship contracting authorities available to the Forest Service, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO (for himself, Mr. TERRY, Mr. MAFFEI, Mr. GONZALEZ, Mr. CARNAHAN, and Mr. ISRAEL):

H.R. 4399. A bill to further the national deployment of electric drive vehicles, to strengthen and enhance the national power grid through the integration of such vehicles, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHULER (for himself, Mr. MELANCON, Mrs. EMERSON, Mr. PAUL, Ms. FOXX, Mr. POE of Texas, Mr. GONZALEZ, Mr. RYAN of Ohio, Mr. DELAHUNT, Mr. MINNICK, Mr. DINGELL, Mr. QUIGLEY, Mr. TANNER, Mr. SMITH of Texas, Mr. CARNEY, Mr. INGLIS, Ms. JENKINS, Mr. COBLE, Mr. CONAWAY, Mr. HILL, Ms. BEAN, Mr. CHILDERS, Mr. COSTA, and Mr. HARPER):

H.R. 4400. A bill to authorize States to exempt certain nonprofit housing organizations from the licensing requirements of the S.A.F.E. Mortgage Licensing Act of 2008; to the Committee on Financial Services.

By Mr. SMITH of Washington (for himself and Mr. DICKS):

H.R. 4401. A bill to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes; to the Committee on Natural Resources.

By Mr. TONKO:

H.R. 4402. A bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care; to the Committee on Education and Labor.

By Mr. WALZ (for himself, Mr. BARTLETT, Mr. BUYER, and Mr. FILNER):

H.R. 4403. A bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for unremarried surviving spouses of retired members of the uniformed services and the unremarried surviving spouses of veterans who died from a service-connected or compensable disability, and for the dependents of such spouses; to the Committee on Armed Services.

By Ms. WATERS (for herself, Ms. ROS-LEHTINEN, Mrs. CHRISTENSEN, Mr. KILDEE, and Ms. BORDALLO):

H.R. 4404. A bill to amend the Public Health Service Act to authorize grants to provide treatment for diabetes in minority communities; to the Committee on Energy and Commerce.

By Ms. WATERS (for herself, Mr. FRANK of Massachusetts, Mr. BACHUS, Mrs. MALONEY, Mrs. BIGGERT, Mr. GUTIERREZ, Mr. PAYNE, Ms. LEE of California, Mr. CLEAVER, and Mr. WALDEN):

H.R. 4405. A bill to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes; to the Committee on Financial Services.

By Mr. WEINER:

H.R. 4406. A bill to render nationals of Israel eligible to enter the United States as nonimmigrant traders and investors; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 4407. A bill to establish a coordinated avalanche protection program, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Oversight and Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. HALVORSON:

H.J. Res. 65. A joint resolution disapproving the rule submitted by the Federal Election Commission with respect to travel on private aircraft by candidates for the office of President, Vice President, and Senator; to the Committee on House Administration.

By Mr. MORAN of Kansas:

H.J. Res. 66. A joint resolution disapproving a rule submitted by the Administrator of the Environmental Protection Agency relating to endangerment and cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act; to the Committee on Energy and Commerce.

By Ms. PINGREE of Maine:

H. Con. Res. 223. Concurrent resolution providing for the sine die adjournment of the first session of the One Hundred Eleventh Congress; considered and agreed to.

By Mr. POSEY (for himself, Mr. PUTNAM, Mr. LANCE, and Mr. PAUL):

H. Con. Res. 224. Concurrent resolution encouraging Federal financial regulators to establish clear and consistent guidelines for financial institutions seeking to grow or expand; to the Committee on Financial Services.

By Mr. SCHIFF (for himself and Ms. GRANGER):

H. Con. Res. 225. Concurrent resolution supporting the goals and ideals of observing the National Slavery and Trafficking Prevention Month from January 1 through February 1 of each year to raise awareness of, and opposition to, modern slavery; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. BURTON of Indiana, Mr. CAPUANO, Mr. MANZULLO, Mr. BILIRAKIS, Mr. ROYCE, Mr. ROHRABACHER, Mr. WILSON of South Carolina, Mr. CALVERT, Mrs. MYRICK, Mr. SMITH of Texas, Mr. OLSON, Mrs. LUMMIS, Mr. BOOZMAN, Mr. LATTA, Mr. NEUGEBAUER, Mr. LEE of New York, Mr. NYE, Mr. JONES, Mr. COBLE, Mr. HALL of Texas, Ms. FALLIN, Mr. SAM JOHNSON of Texas, Ms. GRANGER, Mr. BRADY of Texas, Mr. KING of Iowa, Mr. CULBERSON, Mr. PRICE of Georgia, Mr. CARTER, Mr. CONAWAY, Mr. MCCAUL, Mr. GOHMERT, Mr. HENSARLING, Mr. GINGREY of Georgia, Mr. BARTLETT, Mr. PITTS, Mrs. SCHMIDT, Mrs. BLACKBURN, Mr. MARCHANT, Mr. SHADEGG, Mr. POSEY, Mr. AKIN, Mr. HUNTER, Mr. MCCOTTER, Mr. BARTON of Texas, and Mr. WITTMAN):

H. Res. 977. A resolution honoring Navy SEALs Petty Officer 2nd Class Matthew McCabe, Petty Officer 2nd Class Jonathan Keefe, and Petty Officer 1st Class Julio Huertas for their heroic actions in the capture of Ahmed Hashim Abed, the mastermind behind of one of the most notorious crimes against Americans in Iraq; to the Committee on Armed Services.

By Mr. HOEKSTRA:

H. Res. 978. A resolution requesting the President to transmit to the House of Representatives all documents in the possession of the President relating to the inventory and review of intelligence related to the shooting at Fort Hood, Texas, described by the President in a memorandum dated November 10, 2009; to the Committee on Intelligence (Permanent Select).

By Mr. FATTAH:

H. Res. 979. A resolution expressing the sense of the House of Representatives in support of the Common Core State Standards Initiative; to the Committee on Education and Labor.

By Mr. DENT (for himself, Mr. KING of New York, Mr. BILIRAKIS, Mr. DANIEL E. LUNGREN of California, Mr. OLSON, Mrs. MILLER of Michigan, and Mr. AUSTRIA):

H. Res. 980. A resolution of inquiry directing the Secretary of Homeland Security to transmit to the House of Representatives a copy of the Transportation Security Administration's Aviation Security Screening Management Standard Operating Procedures manual in effect on December 5, 2009, and any subsequent revisions of such manual in effect prior to the adoption of this resolution; to the Committee on Homeland Security.

By Mr. BERMAN (for himself, Ms. ROS-LEHTINEN, Mr. LEVIN, Mr. BARTLETT, Ms. KAPTUR, Mr. GERLACH, Mr. HASTINGS of Florida, and Mr. WEXLER):

H. Res. 981. A resolution supporting continued political and economic development in Ukraine; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself and Mr. SHIMKUS):

H. Res. 982. A resolution expressing the sense of the House of Representatives that France and other member states of the North Atlantic Treaty Organization and the European Union should decline to sell major weapons systems or offensive military equipment to the Russian Federation; to the Committee on Foreign Affairs.

By Mr. BURGESS:

H. Res. 983. A resolution requesting the President, and directing the Secretary of Health and Human Services, to transmit to the House of Representatives copies of documents, records, and communications in their possession relating to certain agreements regarding health care reform; to the Committee on Energy and Commerce.

By Mr. MCCARTHY of California (for himself, Mr. MCKEON, Mr. DICKS, Mrs. CAPPS, Mr. MILLER of Florida, Mr. COURTNEY, Mr. SCOTT of Virginia, Mr. KIRK, and Mr. CAPUANO):

H. Res. 984. A resolution recognizing the importance and contributions of the official United States naval history museums; to the Committee on Armed Services.

By Mr. BOOZMAN:

H. Res. 985. A resolution of inquiry directing the Administrator of the Environmental Protection Agency to transmit to the House of Representatives all information in the possession of the Administrator relating to nutrient management of the Illinois River Watershed, Arkansas and Oklahoma; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Pennsylvania (for himself, Mr. ADLER of New Jersey, Mr. FATTAH, Mr. GERLACH, Ms. SCHWARTZ, Mr. KANJORSKI, Mr. NEAL of Massachusetts, Mr. PIERLUISI, Mr. WELCH, Mr. DOYLE, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. PAYNE, and Ms. LINDA T. SÁNCHEZ of California):

H. Res. 986. A resolution supporting a national and international celebration commemorating the 250th anniversary of the United States of America's birth, to be held throughout the year 2026, focused on the Greater Philadelphia Region in the Commonwealth of Pennsylvania, the State of Delaware, and the State of New Jersey; to the Committee on Oversight and Government Reform.

By Mr. FRELINGHUYSEN:

H. Res. 987. A resolution recognizing the importance of trade to the United States economy and the importance of passing free trade agreements with Colombia, South Korea, and Panama; to the Committee on Ways and Means.

By Mr. HUNTER (for himself, Mr. CULBERSON, Mr. DANIEL E. LUNGREN of California, Mr. MCCOTTER, Mr. CHAFFETZ, Mr. PRICE of Georgia, Mr. LUETKEMEYER, Mr. ROONEY, Mr. GUTHRIE, Mr. LOBIONDO, Mr. HALL of Texas, Mr. BROUN of Georgia, Mr. SCALISE, Mr. YOUNG of Florida, Mr. FRELINGHUYSEN, Mr. SIMPSON, Mr. TIBERI, Mr. JORDAN of Ohio, Mr. SHUSTER, Mr. GINGREY of Georgia, Mr. TIM MURPHY of Pennsylvania, Mr. DAVIS of Kentucky, Mr. NUNES, Mr. KINGSTON, Mr. LEE of New York, Mr. SESSIONS, Mr. DREIER, Mr. BRIGHT, Mr. KING of Iowa, Mr. AKIN, Mr. COFFMAN of Colorado, Mr. WITTMAN, Mr. LATTA, Mr. BILBRAY, Mr. BURTON of Indiana, Mr. CALVERT, Mr. POE of Texas, Mr. ISSA, Mr. COHEN, and Mr. NYE):

H. Res. 988. A resolution recognizing the exemplarily service, devotion to country, and selfless sacrifice of Special Warfare Operators 2nd Class Matthew McCabe and Jonathan Keefe and Special Warfare Operator 1st Class Julio Huertas in capturing Ahmed Hashim Abed, one of the most-wanted terrorists in Iraq, and pledging to continue to support members of the United States Armed Forces serving in harm's way; to the Committee on Armed Services.

By Mr. INSLEE (for himself, Mr. MARKEY of Massachusetts, Ms. BORDALLO, Mr. BAIRD, Mr. THOMPSON of California, Mr. LANGEVIN, Ms. HIRONO, Mrs. CAPPS, Mr. GEORGE MILLER of California, Ms. SHEA-PORTER, Ms. WOOLSEY, Mr. HONDA, Mr. WU, Ms. SPEIER, Mr. DELAHUNT, Mr. SMITH of Washington, Ms. MCCOLLUM, Mr. FARR, Mr. DICKS, Mrs. CHRISTENSEN, Mr. ADLER of New Jersey, and Mr. HOLT):

H. Res. 989. A resolution expressing the sense of the House of Representatives that the United States should adopt national policies and pursue international agreements to prevent ocean acidification, to study the impacts of ocean acidification, and to address the effects of ocean acidification on marine ecosystems and coastal economies; to the Committee on Natural Resources.

By Ms. MCCOLLUM (for herself, Mrs. DAVIS of California, and Mr. ROGERS of Michigan):

H. Res. 990. A resolution expressing support for designation of January 2010 as ''National Mentoring Month''; to the Committee on Education and Labor.

By Mr. PERRIELLO:

H. Res. 991. A resolution commending the University of Virginia men's soccer team for winning the 2009 Division I NCAA National Championship; to the Committee on Education and Labor.

By Mr. POE of Texas (for himself and Mr. ROHRABACHER):

H. Res. 992. A resolution expressing the sense of the House that the Government of the Islamic Republic of Iran should halt the widespread and brutal repression of the peaceful reformist protestors, opposition supporters, human rights defenders, students, and journalists following the disputed Iranian presidential election of June 12, 2009; to the Committee on Foreign Affairs.

By Mr. ROONEY:

H. Res. 993. A resolution recognizing the service, professionalism, honor, and sacrifices of the Navy SEALs and their contribution to the national security of the United States, supporting the mission of the Navy SEALs, and encouraging the people of the United States to learn the history and mission of the Navy SEALs; to the Committee on Armed Services.

By Mr. WOLF:

H. Res. 994. A resolution directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the decision to dismiss United States v. New Black Panther Party; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. SARBANES, Ms. CLARKE, Mr. PERLMUTTER, Ms. HERSETH SANDLIN, Mr. BECERRA, Mr. HINOJOSA, Mr. WEINER, Mr.

TOWNS, Mrs. MCCARTHY of New York, and Mr. WILSON of Ohio.

H.R. 43: Mr. DENT, Mrs. KIRKPATRICK of Arizona, and Mr. CAPUANO.

H.R. 208: Mr. BURGESS.

H.R. 211: Mr. CUELLAR and Mr. GONZALEZ.

H.R. 235: Ms. CHU.

H.R. 268: Mr. WILSON of South Carolina, Mr. JORDAN of Ohio, Mr. MORAN of Kansas, Mr. BOOZMAN, and Mr. GARY G. MILLER of California.

H.R. 272: Mr. BURTON of Indiana, Mr. CONAWAY, and Mr. SPRATT.

H.R. 391: Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BONNER, Mr. BOUSTANY, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Mr. CAMP, Mrs. CAPITO, Mr. COBLE, Mr. DEAL of Georgia, Mr. DUNCAN, Mr. FORBES, Mr. GALLEGLY, Mr. GRIFFITH, Mr. GUTHRIE, Mr. JONES, Mr. KING of New York, Mr. KINGSTON, Mr. LEWIS of California, Mr. LUCAS, Mr. MACK, Mr. MCCARTHY of California, Mr. MICA, Mrs. MILLER of Michigan, Mr. PUTNAM, Mr. REHBERG, Mr. ROSKAM, Mr. ROYCE, Mr. SMITH of Texas, Mr. STEARNS, Mr. TURNER, Mr. WALDEN, Mr. WHITFIELD, Mr. CAMPBELL, Mrs. EMERSON, Mr. FORTENBERRY, Mr. YOUNG of Florida, Mr. TIBERI, Mr. SIMPSON, Mr. LATOURETTE, Mr. PETRI, and Mrs. SCHMIDT.

H.R. 413: Ms. ROYBAL-ALLARD, Mr. ADLER of New Jersey, and Mr. JOHNSON of Georgia.

H.R. 450: Mr. UPTON.

H.R. 503: Mr. ORTIZ, Mr. QUIGLEY, Ms. VELÁZQUEZ, Mr. HARE, Mr. ADLER of New Jersey, Mr. TOWNS, and Mr. INSLEE.

H.R. 510: Mr. BOSWELL and Mr. BROUN of Georgia.

H.R. 558: Ms. WOOLSEY and Mr. BRIGHT.

H.R. 616: Mr. MOORE of Kansas.

H.R. 684: Mr. WELCH.

H.R. 690: Mr. ALEXANDER and Mrs. BIGGERT.

H.R. 734: Mr. BILBRAY, Mrs. HALVORSON, and Mr. DOGGETT.

H.R. 775: Mr. MCDERMOTT, Mr. CAO, and Mr. PITTS.

H.R. 847: Mr. REICHERT.

H.R. 855: Mr. DAVIS of Alabama.

H.R. 864: Mr. FOSTER.

H.R. 886: Mr. PETERSON and Mr. MOORE of Kansas.

H.R. 932: Mr. CAPUANO, Mr. KANJORSKI, Mr. AL GREEN of Texas, and Mr. GUTIERREZ.

H.R. 948: Mr. ELLSWORTH.

H.R. 988: Mr. TIM MURPHY of Pennsylvania, Mr. BISHOP of Georgia, Mr. PETERSON, Mr. BISHOP of Utah, Mr. SHIMKUS, and Mr. CAPUANO.

H.R. 1006: Mr. HOLDEN and Mr. ANDREWS.

H.R. 1020: Mr. BRADY of Pennsylvania.

H.R. 1034: Ms. FOXX.

H.R. 1064: Ms. HERSETH SANDLIN.

H.R. 1067: Mr. MOLLOHAN and Mr. BOREN.

H.R. 1079: Mr. GRIJALVA and Mr. CONNOLLY of Virginia.

H.R. 1132: Mr. INGLIS, Mr. MANZULLO, and Mr. WALDEN.

H.R. 1188: Mr. HIMES.

H.R. 1194: Mr. MILLER of Florida, Mr. JACKSON of Illinois, Mr. WOLF, Mr. JOHNSON of Illinois, Mr. ETHERIDGE, Mr. ROGERS of Kentucky, and Mr. QUIGLEY.

H.R. 1205: Mr. WAMP and Mr. ROGERS of Kentucky.

H.R. 1230: Mrs. BONO MACK.

H.R. 1314: Mr. ABERCROMBIE.

H.R. 1326: Mr. ENGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. GONZALEZ, Mr. QUIGLEY, Mr. ADLER of New Jersey, Mr. FOSTER, and Ms. MARKEY of Colorado.

H.R. 1351: Ms. ROS-LEHTINEN and Mr. MICHAUD.

H.R. 1352: Mr. HUNTER.

H.R. 1361: Ms. WOOLSEY and Ms. MCCOLLUM.

H.R. 1378: Mr. BRALEY of Iowa.

H.R. 1479: Ms. ZOE LOFGREN of California and Mr. QUIGLEY.

H.R. 1490: Mrs. NAPOLITANO.

H.R. 1526: Mr. KAGEN, Mr. NADLER of New York, Mr. OBERSTAR, Mr. POSEY, Mr. MCNERNEY, Ms. SUTTON, Mr. HINCHEY, and Mr. MARKEY of Massachusetts.

H.R. 1545: Mr. NYE.

H.R. 1549: Mr. QUIGLEY, Mr. CAPUANO, Mr. LEWIS of Georgia, Ms. WASSERMAN SCHULTZ, Mr. TOWNS, Ms. HARMAN, and Mr. ADLER of New Jersey.

H.R. 1551: Mr. ADLER of New Jersey.

H.R. 1557: Mr. HEINRICH.

H.R. 1585: Mr. JOHNSON of Illinois, Mr. UPTON, and Mr. ALEXANDER.

H.R. 1588: Mr. ALEXANDER.

H.R. 1693: Mr. QUIGLEY.

H.R. 1740: Mr. DENT.

H.R. 1778: Mr. LUJÁN, Ms. FUDGE, Mr. KAGEN, Ms. BALDWIN, Ms. HIRONO, Mr. HIGGINS, Mr. MCGOVERN, and Mr. SARBANES.

H.R. 1806: Mr. ROSS, Ms. LINDA T. SÁNCHEZ of California, Mr. SIRES, Mr. BUTTERFIELD, Mr. JOHNSON of Illinois, and Mr. SNYDER.

H.R. 1826: Mr. OWENS and Ms. CHU.

H.R. 1829: Mrs. BLACKBURN and Mr. CAPUANO.

H.R. 1836: Mr. MITCHELL.

H.R. 1844: Ms. DELAURO.

H.R. 1873: Mr. CONNOLLY of Virginia.

H.R. 1884: Mr. SMITH of New Jersey, Mr. BOOZMAN, and Ms. SPEIER.

H.R. 1924: Mr. HEINRICH.

H.R. 1925: Ms. PINGREE of Maine.

H.R. 1964: Ms. SLAUGHTER, Mr. AL GREEN of Texas, and Mr. ELLISON.

H.R. 1972: Mr. WALZ.

H.R. 1977: Mr. MORAN of Virginia.

H.R. 1998: Mr. SESSIONS.

H.R. 2000: Mr. PETERS and Ms. ESHOO.

H.R. 2001: Mr. HODES.

H.R. 2006: Ms. DELAURO.

H.R. 2135: Ms. WOOLSEY, Mr. BRIGHT, and Mrs. BIGGERT.

H.R. 2139: Mr. KAGEN, Ms. ESHOO, Mr. CLEAVER, and Mr. INSLEE.

H.R. 2142: MR. BRIGHT, MR. MELANCON, MR. ARCURI, MR. TANNER, MR. KRATOVIL, MR. ROSS, MR. THOMPSON OF CALIFORNIA, AND MR. SCOTT OF GEORGIA.

H.R. 2149: Mr. CARNEY.

H.R. 2153: Mr. YOUNG of Alaska.

H.R. 2156: Mr. ALTMIRE.

H.R. 2159: Mr. PASCRELL.

H.R. 2246: Ms. MATSUI.

H.R. 2256: Ms. SPEIER.

H.R. 2275: Ms. MOORE of Wisconsin, Mr. MEEK of Florida, Ms. ZOE LOFGREN of California, Ms. BERKLEY, Mr. SOUDER, Mr. BARROW, Mr. CLEAVER, and Mrs. MYRICK.

H.R. 2277: Mr. REHBERG.

H.R. 2296: Mrs. MYRICK.

H.R. 2324: Mr. PRICE of North Carolina, Mr. LANGEVIN, Mr. KING of New York, Mr. BLUMENAUER, Mr. FILNER, and Ms. ROYBAL-ALLARD.

H.R. 2377: Mrs. BIGGERT.

H.R. 2408: Mrs. NAPOLITANO.

H.R. 2413: Ms. SCHAKOWSKY and Mr. HEINRICH.

H.R. 2426: Mrs. MALONEY.

H.R. 2446: Ms. WOOLSEY, Mr. SHUSTER, and Mr. BRIGHT.

H.R. 2455: Mr. SMITH of New Jersey.

H.R. 2460: Ms. TSONGAS.

H.R. 2476: Mr. POLIS of Colorado.

H.R. 2478: Mr. WU.

H.R. 2480: Mr. TOWNS, Mr. INSLEE, Mr. MCDERMOTT, Mr. CAPUANO, Mr. QUIGLEY, Mr. ADLER of New Jersey, Mr. CLEAVER, Mr. FATTAH, Ms. KILROY, Mr. FOSTER, Mr. MARKEY of Massachusetts, Mr. SCHRADER, and Mr. PERRIELLO.

H.R. 2502: Mrs. BONO MACK.

H.R. 2531: Mr. JOHNSON of Georgia.

H.R. 2567: Mr. POLIS of Colorado.

H.R. 2568: Ms. NORTON.

H.R. 2570: Mr. RUSH.

H.R. 2575: Mr. GONZALEZ.

H.R. 2578: Mr. DAVIS of Illinois.

H.R. 2579: Ms. WOOLSEY and Ms. ROYBAL-ALLARD.

H.R. 2584: Mr. MAFFEI.

H.R. 2600: Mr. MURPHY of New York, Mr. PERRIELLO, and Mr. SIRES.

H.R. 2613: Mr. FILNER.

H.R. 2624: Mrs. BIGGERT.

H.R. 2672: Mr. POE of Texas.

H.R. 2697: Mr. BOOZMAN.

H.R. 2698: Mr. NYE.

H.R. 2699: Mr. HILL and Mr. NYE.

H.R. 2710: Mr. CARNAHAN and Mr. YARMUTH.

H.R. 2730: Mrs. BIGGERT.

H.R. 2733: Mr. MORAN of Kansas and Mr. GARRETT of New Jersey.

H.R. 2746: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. SCHAUER.

H.R. 2755: Ms. WOOLSEY.

H.R. 2766: Ms. SLAUGHTER.

H.R. 2799: Mr. MEEKS of New York.

H.R. 2807: Mr. LOBIONDO.

H.R. 2842: Mr. POE of Texas.

H.R. 2852: Mr. ARCURI.

H.R. 2855: Mr. LARSEN of Washington.

H.R. 2866: Mr. BARTLETT.

H.R. 2946: Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, and Ms. HIRONO.

H.R. 2999: Mr. MOORE of Kansas.

H.R. 3012: Mr. GARAMENDI.

H.R. 3024: Ms. WASSERMAN SCHULTZ and Mr. LATOURETTE.

H.R. 3043: Mrs. MALONEY, Ms. BORDALLO, and Ms. MOORE of Wisconsin.

H.R. 3077: Mr. MOORE of Kansas.

H.R. 3149: Mr. STARK and Mr. HINCHEY.

H.R. 3173: Ms. BALDWIN, Mr. CONYERS, Mr. SENSENBRENNER, and Mr. RYAN of Wisconsin.

H.R. 3202: Mr. STARK.

H.R. 3266: Mr. ISRAEL and Mr. MASSA.

H.R. 3339: Mr. PERLMUTTER, Mr. KIND, and Ms. MARKEY of Colorado.

H.R. 3380: Ms. SCHAKOWSKY and.Mr. JONES.

H.R. 3401: Mr. CUMMINGS, Ms. HIRONO, Ms. ROYBAL-ALLARD, and Ms. VELÁZQUEZ.

H.R. 3413: Mr. HODES.

H.R. 3460: Ms. SLAUGHTER.

H.R. 3510: Mr. BLUMENAUER, Ms. SUTTON, and Ms. MATSUI.

H.R. 3519: Mr. TIAHRT and Mr. GRIFFITH.

H.R. 3554: Ms. KILPATRICK of Michigan.

H.R. 3560: Ms. WOOLSEY.

H.R. 3564: Mr. DELAHUNT, Mr. SALAZAR, Mr. BECERRA, Mr. CARDOZA, Mr. GUTIERREZ, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PASTOR of Arizona, Mr. RODRIGUEZ, Mr. SIRES, Mr. FARR, Ms. LEE of California, Ms. CLARKE, Ms. VELÁZQUEZ, Mr. ELLISON, Mr. REYES, Mr. BERMAN, Mrs. CAPPS, Ms. CHU, Mr. HONDA, Ms. RICHARDSON, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mr. GRAYSON, Ms. CORRINE BROWN of Florida, Mr. ABERCROMBIE, Mr. CAPUANO, Mr. DAVIS of Illinois, Mr. HASTINGS of Florida, Mr. FATTAH, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MALONEY, Ms. KAPTUR, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. PALLONE, Mr. PAYNE, Mr. OLVER, Mr. RUSH, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, and Ms. MATSUI.

H.R. 3567: Mr. HIGGINS and Mr. SIRES.

H.R. 3571: Mr. MANZULLO.

H.R. 3578: Ms. WOOLSEY and Mr. WAXMAN.

H.R. 3586: Mr. GOODLATTE.

H.R. 3589: Mrs. MYRICK, Mr. COBLE, Mrs. MALONEY, and Mr. ENGEL.

H.R. 3613: Mr. LUETKEMEYER.

H.R. 3654: Mr. GRAYSON.

H.R. 3666: Mr. TERRY.

H.R. 3668: Mrs. MILLER of Michigan, Mr. MINNICK, Mr. KENNEDY, Ms. WATERS, Mr. MATHESON, Mr. DELAHUNT, Mr. KIND, Mr. CUMMINGS, Mr. LUCAS, and Mr. ACKERMAN.

H.R. 3705: Mr. SABLAN, Mr. FARR, Mr. MEEKS of New York, and Mr. POLIS of Colorado.

H.R. 3710: Ms. MOORE of Wisconsin.

H.R. 3712: Mr. EHLERS.

H.R. 3752: Mr. LEE of New York.

H.R. 3790: Ms. LINDA T. SÁNCHEZ of California, Mr. BACA, Mr. KILDEE, and Mrs. BONO MACK.
H.R. 3800: Mr. YARMUTH.
H.R. 3810: Mr. MOLLOHAN.
H.R. 3836: Mr. SARBANES.
H.R. 3838: Mr. CONNOLLY of Virginia.
H.R. 3851: Mr. FRANK of Massachusetts.
H.R. 3905: Mr. FORTENBERRY.
H.R. 3907: Mr. POLIS of Colorado, Ms. TITUS, Mr. STARK, Mr. WU, Mr. GUTIERREZ, Mr. MASSA, Ms. SUTTON, Mr. LIPINSKI, Mr. SESTAK, Mr. CONYERS, and Ms. ZOE LOFGREN of California.
H.R. 3922: Mr. WITTMAN.
H.R. 3936: Mr. COURTNEY and Mr. PAYNE.
H.R. 3943: Mr. KISSELL, Mr. LANGEVIN, Ms. PINGREE of Maine, Mr. MEEK of Florida, Mr. HEINRICH, Mr. JOHNSON of Georgia, Mr. SIRES, Mr. MURPHY of Connecticut, Mr. MANZULLO, Mr. PAYNE, and Mr. BOREN.
H.R. 3952: Mr. NYE.
H.R. 3953: Mr. PAUL.
H.R. 3957: Ms. PINGREE of Maine and Mr. HOLT.
H.R. 3995: Mr. CHANDLER.
H.R. 4020: Mr. MCKEON, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. REHBERG, and Mrs. LUMMIS.
H.R. 4021: Mr. MORAN of Virginia and Mr. PERRIELLO.
H.R. 4036: Mr. MEEKS of New York and Ms. JACKSON-LEE of Texas.
H.R. 4046: Mr. LAMBORN.
H.R. 4070: Mr. SOUDER and Mr. LUETKEMEYER.
H.R. 4088: Mr. LEE of New York and Mr. RADANOVICH.
H.R. 4089: Mr. WILSON of Ohio.
H.R. 4099: Mr. MAFFEI and Ms. FUDGE.
H.R. 4102: Mr. MCCOTTER.
H.R. 4115: Mr. HODES and Mr. SIRES.
H.R. 4116: Mr. STARK, Ms. SHEA-PORTER, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, and Mr. JOHNSON of Georgia.
H.R. 4123: Mr. BARROW, Mr. ABERCROMBIE, Mr. AL GREEN of Texas, and Mr. CLEAVER.
H.R. 4127: Mr. DENT.
H.R. 4131: Mr. GEORGE MILLER of California.
H.R. 4138: Mr. SCHOCK and Mr. LEE of New York.
H.R. 4144: Mr. MOLLOHAN.
H.R. 4149: Mr. THOMPSON of California, Mr. INSLEE, and Mr. KIND.
H.R. 4155: Mr. INSLEE, Mr. ISRAEL, Mrs. BONO MACK, Mr. WELCH, and Mr. TONKO.
H.R. 4168: Mrs. BONO MACK.
H.R. 4170: Mr. SHERMAN.
H.R. 4178: Ms. JENKINS.
H.R. 4186: Ms. JENKINS, Mr. PAUL, Mr. MINNICK, and Mr. MORAN of Kansas.
H.R. 4196: Mrs. NAPOLITANO, Mr. CARDOZA, Mrs. CAPPS, Mr. SIRES, and Ms. ROYBAL-ALLARD.
H.R. 4199: Mr. PETERSON, Mr. HARE, and Mr. ETHERIDGE.
H.R. 4202: Ms. NORTON and Mr. VAN HOLLEN.
H.R. 4220: Mr. SCHOCK and Mr. MANZULLO.
H.R. 4233: Mr. LEWIS of California, Mr. CALVERT, Mr. MCCLINTOCK, Mr. GARY G. MILLER of California, Mr. GALLEGLY, Mr. DEAL of Georgia, Mr. SIMPSON, Mr. HASTINGS of Washington, Mr. REICHERT, and Mr. WILSON of South Carolina.
H.R. 4236: Mr. KAGEN.
H.R. 4243: Mr. PAUL, Mr. CONAWAY, and Mr. MEEK of Florida.
H.R. 4244: Mr. GENE GREEN of Texas.
H.R. 4249: Mr. SHADEGG.
H.R. 4255: Mr. AUSTRIA, Mr. MINNICK, and Mrs. BIGGERT.
H.R. 4258: Mr. GERLACH.
H.R. 4262: Mr. BILBRAY, Mr. FORTENBERRY, Mrs. LUMMIS, and Mr. MCCOTTER.
H.R. 4263: Ms. SUTTON.
H.R. 4264: Mr. STARK.
H.R. 4267: Mr. BURGESS.
H.R. 4268: Mr. BISHOP of Georgia.
H.R. 4270: Mr. OLSON.
H.R. 4277: Mr. CASSIDY.
H.R. 4286: Ms. NORTON.
H.R. 4290: Ms. LINDA T. SÁNCHEZ of California, Mr. CAPUANO, Mr. MCGOVERN, Mr. NEAL of Massachusetts, and Ms. ROYBAL-ALLARD.
H.R. 4291: Mr. HARE, Ms. NORTON, and Ms. SUTTON.
H.R. 4295: Mr. KAGEN.
H.R. 4296: Mr. CROWLEY, Mr. JACKSON of Illinois, Ms. CLARKE, and Mr. MOORE of Kansas.
H.R. 4298: Mr. PASCRELL.
H.R. 4299: Mr. CLAY and Mr. ALEXANDER.
H.R. 4300: Ms. FUDGE, Mr. HONDA, Mr. PERRIELLO, and Mr. MORAN of Virginia.
H.R. 4303: Mr. MEEKS of New York.
H.R. 4312: Mrs. MCMORRIS RODGERS, Mr. CASSIDY, and Mrs. BACHMANN.
H.R. 4313: Mr. KILDEE.
H.R. 4321: Mr. WEXLER.
H.R. 4325: Mr. ELLISON and Mr. MCGOVERN.
H.J. Res. 42: Mr. LEE of New York.
H. Con. Res. 198: Ms. SCHAKOWSKY, Mr. JOHNSON of Georgia, Ms. SLAUGHTER, Mr. CHANDLER, and Mr. YARMUTH.
H. Con. Res. 200: Mr. BILIRAKIS and Mr. CULBERSON.
H. Con. Res. 205: Mr. MOORE of Kansas.
H. Con. Res. 220: Mr. NYE, Mr. WITTMAN, and Mr. MURPHY of New York.
H. Con. Res. 222: Mr. BACA, Mr. SERRANO, Mrs. NAPOLITANO, and Mr. SABLAN.
H. Res. 191: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 278: Ms. SCHAKOWSKY.
H. Res. 416: Mr. TOWNS.
H. Res. 615: Mr. CALVERT.
H. Res. 713: Mr. PENCE, Mr. KLINE of Minnesota, Mr. SHIMKUS, Mr. SHADEGG, Mrs. BLACKBURN, Mr. GINGREY of Georgia, Ms. SCHWARTZ, Mr. HEINRICH, Mr. HONDA, Mr. SIRES, Mr. POSEY, Mr. WHITFIELD, Mr. WALDEN, Mr. TERRY, Mr. NEUGEBAUER, Mr. GRIJALVA, Mr. OLSON, Mr. THORNBERRY, Mr. CULBERSON, Mr. SABLAN, Mr. BARTON of Texas, Mr. BARTLETT, and Ms. JENKINS.
H. Res. 763: Mr. HOEKSTRA.
H. Res. 776: Mr. MICHAUD and Mr. COURTNEY.
H. Res. 812: Mr. BACHUS.
H. Res. 864: Mr. SPACE.
H. Res. 887: Mr. ALEXANDER.
H. Res. 898: Mr. KENNEDY and Mr. Lee of New York.
H. Res. 904: Mr. MCGOVERN, Mr. FILNER, and Ms. RICHARDSON.
H. Res. 911: Mr. PENCE and Mr. BROUN of Georgia.
H. Res. 923: Mr. THORNBERRY and Mr. KLINE of Minnesota.
H. Res. 925: Mr. SMITH of Washington and Mr. ROE of Tennessee.
H. Res. 945: Mr. TIAHRT.
H. Res. 946: Mr. OLVER.
H. Res. 947: Mr. HONDA.
H. Res. 949: Mrs. BIGGERT and Mr. WAMP.
H. Res. 951: Mr. TURNER.
H. Res. 954: Mr. GERLACH.
H. Res. 957: Mr. BOUCHER, Ms. FOXX, Mr. SHULER, Mr. SOUDER, Mr. POSEY, Mr. ROE of Tennessee, Mrs. MCMORRIS RODGERS, Mr. JONES, Mr. BOOZMAN, Mr. ADERHOLT, Mr. LATOURETTE, Mr. MASSA, Mr. PAULSEN, Mr. RADANOVICH, Mr. BURTON of Indiana, Mr. HILL, Ms. JENKINS, Ms. GRANGER, Mr. GINGREY of Georgia, Mr. SCHOCK, Mr. BUTTERFIELD, Mr. TIM MURPHY of Pennsylvania, Mr. BILBRAY, Mr. POE of Texas, Mr. ROGERS of Michigan, Mr. MCCOTTER, Mr. SHIMKUS, Mr. BROUN of Georgia, Mr. SPRATT, Mrs. CAPITO, and Mr. MARIO DIAZ-BALART of Florida.
H. Res. 958: Mr. CALVERT.
H. Res. 959: Mr. KING of Iowa, Mr. CULBERSON, Mr. BURTON of Indiana, Mr. GINGREY of Georgia, Mr. BARTLETT, Mrs. LUMMIS, Mr. PITTS, Mrs. SCHMIDT, Mr. WAMP, Mr. HALL of Texas, Mr. MARCHANT, Mr. SHADEGG, Mr. POSEY, and Mr. AKIN.
H. Res. 960: Mr. WALZ, Ms. JACKSON-LEE of Texas, and Ms. ROYBAL-ALLARD.
H. Res. 966: Mr. SMITH of Texas, Mr. KINGSTON, Mr. SHIMKUS, Mr. JORDAN of Ohio, Mr. HERGER, Mr. KLINE of Minnesota, and Mr. LAMBORN.
H. Res. 967: Mr. CARSON of Indiana.
H. Res. 970: Mrs. MILLER of Michigan.
H. Res. 975: Ms. KILPATRICK of Michigan.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 5 by Mrs. BLACKBURN on H.R. 391: Randy Neugebauer, Devin Nunes, Michael R. Turner, Charles W. Boustany, Jr., Lamar Smith, John L. Duncan, Jr., Joseph R. Pitts, Tom McClintock, Ken Calvert, Jerry Lewis, Elton Gallegly, Judy Biggert, Trent Franks, Kevin McCarthy, Candice S. Miller, Walter B. Jones, Gus M. Bilirakis, Jo Ann Emerson, Thomas E. Petri, Roy Blunt, John Fleming, and Don Young.

The following Member added his name to the following discharge petition:

Petition 8 by Mr. NUNES on H.R. 3105: Roy Blunt.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, DECEMBER 16, 2009 No. 191

Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father God, we thank You for this day, for eyes to see and for hearts to feel the wonders of Your world. Today, fill our Senators with a fresh faith and a triumphant confidence in Your final victory over the hearts of humanity. May our lawmakers face these sometimes baffling days with the glad assurance that no weapon that has been formed can prevail against Your eternal purposes.

Lord, help them to relinquish any negative thoughts to You and receive a fresh infusion of Your hope. Burn away the barriers to unity so that Your will can be done on Earth even as it is done in Heaven.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 16, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

NOTICE

If the 111th Congress, 1st Session, adjourns sine die on or before December 23, 2009, a final issue of the *Congressional Record* for the 111th Congress, 1st Session, will be published on Thursday, December 31, 2009, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 30. The final issue will be dated Thursday, December 31, 2009, and will be delivered on Monday, January 4, 2010.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–59.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the *Congressional Record* may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will resume consideration of the health care reform legislation. The first hour will be equally divided and controlled between the two leaders or their designees. The majority will control the first 30 minutes and the Republicans will control the next 30 minutes. We expect a vote in relation to the Hutchison motion to commit today, and the Sanders amendment. It is my understanding Senator SANDERS will offer his amendment at around 11 o'clock today. They will both be pending. Senators will be notified as to when any votes are scheduled.

HEALTH CARE REFORM

Mr. REID. Mr. President, we continue making progress toward making it possible for every American to afford to live a healthy life. Senators continue to work together toward that goal because even though we may have differences of opinion on the details, we all share the strong belief in the differences we can make for the American people as it relates to their being healthy.

We all know our current system is beyond broken, and we know the citizens of this country demand that we fix it. We know this because they tell us—in letters, in phone calls, and visits we have at home, and we have not been going home very much, but certainly when we are able to get there. Those who oppose making health insurance more affordable and making health insurance companies more accountable would like you to believe that is not the case. But that is only propaganda by the insurance industry.

They want you to think the American people are happy when these greedy insurance companies deny health care to the sick and take away their coverage at the exact moment they need it the most.

They would like you to believe the American people do not mind hearing a multibillion-dollar company tell them: I am sorry you have diabetes. I am sorry you have a heart condition. But, also, it hurts my bottom line, so you are on your own.

These insurance companies and health care deliverers want you to believe that women gladly pay more than they should for the screenings they have to catch breast cancer, that men gladly pay more than they should to have the test to catch prostate cancer, and that seniors gladly pay much more than they should to get their prescription drugs.

Those who are trying to slow the Senate—and really the country—and stop reform want you to believe the American people do not mind paying hidden taxes to cover the uninsured, they do not mind the waste and fraud rampant in the health care system, and they do not mind losing their health insurance if they lose their job. But, simply, that is not true. That is not the case.

The people we represent—whether it is New Mexico, Montana; we have two from New Mexico, we have one from Michigan, one from Kentucky, Oklahoma—it does not matter what State you represent; there are stories.

Listen to what Mike Tracy, who lives in north Las Vegas, NV, said. His 26-year-old son has been an insulin-dependent diabetic since he was a baby. The insurance Mike's son gets through work will not cover his treatments, and the Tracys cannot afford to buy more coverage on their own.

But this family's troubles are about more than just money. Since they could not afford to treat their son's diabetes, it developed into something called Addison's disease—a disease that President Kennedy had. If you have money, you can treat the disease. If you do not, it is a very bad disease, likely could be fatal.

This is what Mike wrote me this past Friday.

> I don't know what to pray for first: that I will die before my son will so I don't have to bear the burden, or that I outlive him so I can provide support to his family when he is gone.

This should not be a choice for any American, and when given the chance to help people such as Mike, our choice should be easy.

Here is another example: Ellen O'Rourke wrote to me last Tuesday about her friends, the Hidalgos, who live in Incline Village, NV, a town on the shores of Lake Tahoe. The Hidalgos' 2-year-old daughter Lexie Mae has a cancer of the eye that could cost her vision or her life.

Lexie Mae's parents do not have health insurance and are counting on friends to help pay for their daughter's mounting medical bills. They are also counting on us to lower the cost of health care so they can afford their own. They work hard. They want health insurance. They cannot get it.

Another letter I got last week was from Elizabeth Parsons. She teaches music at an elementary school in Reno and volunteers after school at a dance and drama theater in town. She is 60 years old and wanted to retire at the end of this school year. But as she wrote me last Thursday.

> Unfortunately that plan has been postponed indefinitely for one reason only:
>
> ''one reason''—
>
> I can't afford to retire because of the skyrocketing increases in [my] health insurance.

Ms. Parsons has done a lot for her community. Now her country's leaders should do something for her: We should make sure her decision about whether to retire doesn't hinge on how expensive it is to keep her insurance.

A man named Walt Cousineau from Elko wrote me last Monday to tell me about his wife. She had a heart attack three Decembers ago. Health insurance companies are using that as an excuse to charge $2,000 a month for coverage, $25,000 a year. They call it a preexisting condition, a prior heart attack. She is not old enough yet for Medicare, but Walt is. He is 68. He had to go back to work so she could be put on his health insurance. Now Walt is asking us to go to work for him and asking us to make sure no one's health history can make staying healthy in the future more expensive.

Ken Hansen is from Mesquite, a town on the Arizona-Nevada border. He has chronic health problems and parts of his feet have been amputated. Ken can't go to a doctor because he makes too much to qualify for Medicaid and too little to afford private insurance. I wish to share with the Senate exactly what Ken wrote me:

> I am very frustrated because my only hope is that I die very soon because I can't afford to stay alive.

Those are his words—not my words—that his only hope is that he die. How can we look the other way? How can we possibly do nothing? This isn't about balance sheets or graphs or charts; it is not about contracts or fine print; it is not about politics or partisanship. This is about life and death in America.

Each story is more heartbreaking than the last. Each of these Nevadans has more than enough on his or her mind. Yet each of these citizens took time out of his or her day to beg their leaders to do something.

Mike Tracy, the father of the young man with diabetes and Addison's disease, ended his letter to me just a few days ago with this plea. Here is what he said:

> Democrats need health care. Republicans need health care. Independents need health care. All Americans need health care. Get it done.

We can't let them down. We just can't let them down.

Those trying to kill this reform have made it clear they will do anything to stop us. They can recite recycled talking points until their hearts' content, but that is it. But as long as Mike Tracy's son might die from a disease we know how to treat, we can't let these

obstacles stand in our way. As long as Lexie Mae's parents have to borrow from their friends to take their daughter to the doctor, we can't take no for an answer. As long as Elizabeth Parsons can't afford to retire, Walt Cousineau can't afford to stay retired, and Ken Hansen says he can't afford to stay alive, we can't stop fighting for them.

ESTATE TAX REFORM

Mr. REID. Mr. President, on a final point, for some time now we Democrats have been trying to reform the estate tax to avoid the train wreck that is coming next month.

Because of the legislation passed by the Republicans in 2001, the estate tax is repealed for 2010—gone, nothing. But because of the gimmick they used to pass this legislation, the estate tax returns in 2011, and it does so at the levels that were in effect in 2001.

This chicanery has created a nightmare for families trying to plan their affairs.

We have proposed a responsible path forward toward curing the estate tax problem. We proposed to extend the current tax parameters so that in 2010 couples would be able to pass down up to $7 million completely tax free. An estate tax at that level exempts all but the wealthiest two-tenths of 1 percent of estates from paying any estate tax.

The other side has rejected this reasonable approach. Instead, they want to keep the Bush tax law in place for 2010 as originally designed.

The irony in the Republicans' position is, it hurts the very families—small business men, women, and family farmers—whom they claim they are trying to help.

The surprise facing family farms and family-owned small businesses in 2010 is that repeal of the estate tax will actually increase their tax liabilities. These are families who would never pay the estate tax because they don't have assets totaling more than $7 million for a couple.

So why do they face a tax increase? It has to do with a provision in the Tax Code called stepped-up basis. What does this mean? The assets of family-owned businesses are often in the form of unrealized capital gains, the appreciation of the family business over time. Right now, until the end of this year, December 31, these capital gains are forgiven when a person dies—no capital gains at death and for these families with less than $7 million there is no estate tax under current law. Therefore, for these families, death is not a taxable event.

The capital gains tax is forgiven because the heirs to the property receive a step up in its basis for measuring tax liability when they ultimately sell the property.

The law my Republican colleagues insist go into place next month repeals stepped-up basis.

The bargain my Republican colleagues are advancing is simple. If you are rich, celebrate. If you are not, you should be afraid. If you are very wealthy, you get a huge windfall from repeal of the estate tax. If you are modestly successful—say you have a shoe store, a service station, a small farm, or whatever small business—but not to the point where you are facing an estate tax liability, your heirs will, nonetheless, face a tax increase because of the repeal of the estate tax.

For the wealthiest families in this country, they say don't worry about that. The estate tax is gone. For many more small businesses, Republicans say that is too bad. All these years, as Republicans were using family farms and small businesses as props in their zeal to repeal the estate tax, their real goal was protecting the wealthiest of the wealthy. The unfortunate aspect of that campaign is that repeal of the estate tax, even for just 1 year, will come at the expense of family-owned farms and small businesses.

We asked, last night, and it will be asked again by the chairman of the Finance Committee, the senior Senator from Montana, Mr. BAUCUS, to extend the estate taxes that now exist, giving a couple an exemption of up to $7 million for 2 months while we work things out on that and a number of other issues, but that has been rejected by my friends on the other side of the aisle.

I repeat: If the estate tax lapses for a period at the beginning of 2010, this will be a boon for the wealthy, a huge drain on the U.S. Treasury and, more importantly, let me also note that tens of thousands of middle-class families could suffer. If the estate tax lapses, even for a short period, these families will be subject to capital gains when they sell their inherited or bequeathed property, a process that will be enormously complicated for families who have no estate tax or planning issues today. Although this could be retroactively eliminated, in the meantime the uncertainty and planning around this would affect a large number of families who ordinarily don't have to think about the estate tax.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I would ask my colleague, the majority leader, was it his intention to propound a unanimous consent request on this issue?

Mr. REID. I say to my friend, the chairman of the Finance Committee will do that.

Mr. MCCONNELL. All right. I will go ahead and make my opening remarks. I don't know when the chairman of the Finance Committee wanted to make this request. Did he want to make a speech in connection with it as well?

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, let me say to my friend from Kentucky, I will not make a lengthy speech, but I am more than prepared to wait until you give your comments, and when you conclude, I will make my request.

Mr. MCCONNELL. I would say to my friend from Montana, it would be helpful if you could go ahead and do the unanimous consent agreement, if you want to speak to the issue later.

Mr. BAUCUS. Well, other Senators wish to speak as well.

HEALTH CARE REFORM

Mr. MCCONNELL. Mr. President, reclaiming my leader time, the longer the debate over health care goes on, the clearer it becomes that the problem the Democrats are having isn't with some of the provisions we keep hearing about on the news; their problem is the fundamental opposition of the American people to the core components of the bill—the core of the bill.

Americans oppose the Democratic plan because they know the final product is a colossal legislative mistake. Not only does this bill fail to achieve its primary goal of lowering the cost of health care, it makes matters worse by driving up premiums, raising taxes, and wrecking Medicare for seniors.

The bill is fundamentally flawed, and the American people know it can't be fixed. That is why they are asking us to stop and start over with the kind of commonsense, step-by-step reforms that will address the cost problems.

Fortunately, a growing number of Democrats are beginning to listen to the voices of the American people. We have, just today, a Washington Post poll indicating, once again, the polls are unanimous that the American people are overwhelmingly opposed to this bill, and seniors in particular, by a very wide margin, do not favor this bill.

So our friends on the other side of the aisle face a choice. They can either side with those who are making a call to history or they can side with their constituents who say a vote on this bill would be a historic mistake.

That is what is unfolding behind the scenes: As a handful of Democratic leaders press ahead in a blind rush of frantic dealmaking to find 60 votes by Christmas, a handful of other Democrats are wondering which side they want to be standing on when the dust settles—with those who are pushing them to support a bill they don't like or with the American people who are imploring them not to do it.

This is an important moment in the life of our Nation. This is one of those moments when the free decisions of a handful of elected leaders are the only difference between America going down one road or another. History will be made either way. History will be made either way. But in this case, as in

many others from our history, Americans want history to show that a determined few took their side and triumphed over a powerful majority—a majority who clearly misread its mandate.

GUANTANAMO BAY

Mr. MCCONNELL. Mr. President, early yesterday, the administration announced what can only be viewed as the latest in a string of seriously misguided decisions related to the closing of the secure facility at Guantanamo Bay. It plans to move dozens of terrorist detainees from Guantanamo Bay Cuba to a prison in northern Illinois.

The explanation we used to get for moving detainees onto American soil was that Guantanamo's existence is a potent recruiting tool for terrorists. But even if you grant that, it is hard to see how simply changing Guantanamo's mailing address would eliminate the problem. Does anyone believe Al-Jazeera will ignore the fact that enemy combatants are being held on American soil? It is naive to think our European critics, the American left, or al-Qaida will be pacified by creating an internment camp in northern Illinois, a sort of ''Gitmo North'' instead of ''Gitmo South.''

As I said, this is just the latest in a series of misguided decisions. First, there was the decision to close Guantanamo by an arbitrary date without a plan for doing so. Americans expect their Government to protect them. That is why Americans overwhelmingly rejected the idea of closing Guantanamo.

Then there was the decision to bring the self-avowed mastermind of the 9/11 attack, Khalid Shaikh Mohammed, and his fellow 9/11 plotters into New York City for trial. We learned just this week, the administration plans to give other terrorists the benefits of a civilian trial in the United States.

Now there is this: According to the reports we have seen, the administration intends to bring as many as 100—100—foreign terrorist fighters from Guantanamo Bay to America, a plan that would make our Nation less safe, not more so. What is worse, the defenders of the proposal don't even seem to get the implications.

Rather than even attempt to reassure people about safety, politicians in Illinois are trumpeting this decision—get this now—as a jobs program, a jobs program. That is how out of touch they are. Democratic politicians are so eager to spin the failure of the $1 trillion stimulus, they are now talking about national security in the language of saved and created jobs.

The advocates of closing Guantanamo without a plan can't seem to make up their minds as to why it is a good idea. First, we were told we had to bring them here because Guantanamo is a dangerous symbol—the whole symbolism over safety argument. Now, with unemployment in double digits, it is being sold—incredibly—as a jobs project, some kind of shovel-ready plan.

But leaving aside the absurdity of marketing this as a jobs program, let's get to the core issue. The core issue is this: Moving some of the worst terrorists on Earth to U.S. soil on its face is more dangerous than leaving them where they are. Nobody could argue with that. Make no mistake, this decision, if implemented, will increase the threat to security at home. Let's count the ways in which it increases the threats of security in the United States.

There will now be another terrorist target in the heartland of America—an obvious one at that, right near the Mississippi River.

The FBI Director has already stated his concerns about the radicalization of other prisoners that could happen by moving terrorists here.

There is also the danger of detainees communicating with terrorists on the outside, as has happened in the past—a danger that would undoubtedly increase with the additional legal rights detainees will enjoy once they are moved into the United States.

Then there is the danger that the detainees could sue their way to freedom—yes, that the detainees could sue their way to freedom. Before the first detainee has even set foot in the United States, their lawyers stand ready to challenge in court the administration's decision to incarcerate detainees indefinitely in the United States. By purposefully moving detainees here, the administration is making it easier for detainees and their lawyers to succeed in doing so.

The Supreme Court has repeatedly held that foreign nationals have more rights if they are present on U.S. soil than if they are not. We have already seen the application of this principle. We have seen a Federal judge order detainees released into the United States—only to be reversed because the detainees at the time didn't enjoy the advantage of being present in the United States—an advantage the Obama administration intends to confer on them.

Then there is the case of the so-called shoe bomber, Richard Reid, who narrowly failed in his effort to blow up a passenger jet in midair. Americans might recall that Reid ended up in a supermax facility in Colorado. They might not recall what happened next. Not satisfied with his conditions of confinement, Reid sued the government. He said he wanted to be placed in less restrictive conditions where he could watch TV, order periodicals through the mail, and learn Arabic. He got his wish. The Obama administration acceded to Reid's demands. He has been placed in the general prison population, a less restrictive environment where he can speak to the media and where his visitors and mail will no longer be regularly monitored by the FBI. Is this how we should treat people who attempt to blow up commercial airliners? We will no longer have the FBI routinely monitor their mail? This is an outrage, an absolute outrage. Unfortunately, it is not an isolated case.

Just a few years ago, this same supermax allowed terrorist inmates to communicate with terrorist networks abroad. At the time, our Democratic colleagues criticized these security lapses harshly. The senior Senator from New York said Federal prison officials were ''incompetent when it comes to detecting possible terrorist activity in Federal prisons.'' He noted ''past evidence of terrorists communicating with live terror cells from inside prison walls.'' That was the senior Senator from New York.

Our Democratic colleagues now raise concerns about similar potential lapses at the proposed ''Gitmo North.''

This decision is ill-advised on multiple levels. It is also prohibited by law. Fortunately, if and when the Obama administration submits its plan for closing Guantanamo, Congress will have an opportunity to revisit the prohibition in current law that bars the transfer into the United States of Guantanamo detainees for the purposes of indefinite detention. That is against the law. At that point, we will decide whether this prohibition ought to be removed and whether millions of dollars ought to be appropriated to make this ill-advised decision a reality.

In short, Congress will have a chance to vote on whether we should treat the national security needs of the country as just another local jobs project. I suspect the American people will be no more supportive of this idea than they were of the administration's plan to close Guantanamo by an arbitrary date. Security can't take a backseat to symbolism, and it certainly should not take a backseat to some parochial jobs program.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. BEGICH). Under the previous order, leadership time is reserved.

SERVICE MEMBERS HOME OWNERSHIP TAX ACT OF 2009

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3590, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

Pending:

Reid amendment No. 2786, in the nature of a substitute.

Hutchison motion to commit the bill to the Committee on Finance, with instructions.

The PRESIDING OFFICER. Under the previous order, the first hour will

be equally divided and controlled between the two leaders or their designees, with the minority controlling the first half and the majority controlling the second half.

The Senator from Montana is recognized.

Mr. BAUCUS. Under current law, the estate tax disappears next year—in 16 days—but snaps back to a 55-percent rate the year after. I believe that is not sound policy. The estate tax should not be zero in 1 year and then be snapped up to a very high rate in the subsequent year. As the Chair knows, current law has the rate slowly declining and the exemption slowly increasing. The individual exemption now is $3.5 million. If Congress takes no action, then beginning on January 1 of next year, that could be zero. The estate tax could be zero.

But another consequence that will occur too is that all heirs of the estate will find that the property they receive will be subject to a carryover basis. Currently, today, property received by heirs is subject to a step-up basis. They get the new basis and the value of the estate as of the date of the decedent's death. If this law expires, there would be no estate tax paid next year on any estate, but also the heirs will no longer have a step-up basis on the assets they receive.

There are several problems with letting the current law expire next year. One is the yo-yo effect. It is an outrage if Congress allows estate taxes to change so much, particularly near the end, that is, a lower rate this year with an expiration to a zero rate next year, and also changing a step-up to a carryover basis, and the following year up at a much higher rate.

The second problem, frankly, is I do think there should be an estate tax on the highest value estates. I think that is good policy.

Third, people don't talk much about this, but I think we should focus on it. If current law expires, every heir will be subject, as I said, to a carryover basis in determining his or her taxes when that taxpayer, the heir, at a later date sells the property and has to pay capital gains. What are the problems with that? First of all, massive record-keeping confusion—massive.

Soon, I am going to propose an extension in the current law. If that is not passed and if we do not extend the estate tax law, all taxpayers, all heirs, will be subject to massive confusion in trying to determine the value of the underlying assets when they later try to sell. The value of the step-up basis to the heir obviously is a lower capital gains tax, but there is also certainty. People pretty much know the value at the death of the decedent.

I cannot emphasize strongly enough how much confusion there will be on January 1, if my consent is not agreed to. There will be such confusion because of the heirs receiving property subject to a carryover basis, not a step-up basis, let alone the capital gains tax they will have to pay when they sell that capital asset at a subsequent date. Currently, when the heir receives that capital asset, because it is a step-up basis, there is much less capital gain paid, presumably, by that heir who sells the asset.

Here it is mid-December. The only responsible thing to do to prevent the yo-yo effect—how in the world can people look at planning in their estates if the law goes up and down and changes all the time? It has kind of leveled off, as I said, at the 2009 rates and people have a pretty good idea what those are. Some in this body would like to see the rate go lower and exemptions go higher. Some in this body would like to see other changes. We kind of leveled off at 2009 estate tax laws, where the rates are set and the exemptions are set. Most people in the country are anticipating Congress will eventually pass that.

It would be irresponsible to further the yo-yo effect by allowing current law to expire and create all this massive confusion, this chaos that will apply to heirs of the estates on January 1 because of this change in capital assets from step-up to a carryover basis, among other things.

UNANIMOUS CONSENT REQUEST—H.R. 4154

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4154, which was just received from the House and is at the desk; that the Baucus substitute be considered and agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table; that any statements relating to the measure be printed in the RECORD without any further action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, there is nothing more outrageous to the American people than the thought that they will have to visit both the IRS and the undertaker on the same day.

Surveys indicate that Americans, even after informed that estate tax may not apply to them, object to it in principle.

I am going to ask that the chairman of the Finance Committee modify his request in the following way:

That there be an amendment considered that reflects a permanent, portable, and unified $5 million exemption that is indexed for inflation, and a 35-percent top rate; and further, that the amendment be agreed to, the bill then be read the third time and passed, with the motion to reconsider laid upon the table.

Before the Chair rules, I want to acknowledge my good friend Senator KYL, the Republican whip, who has been our leader on this side of the issue. He has crafted a proposal, along with the leader on this on the other side, Senator LINCOLN of Arkansas, that is consistent with the consent agreement and with the modification I am now asking the chairman of the Finance Committee to make. This approach would provide certainty and clarity to all taxpayers, especially small businesses and farmers; whereas the UC propounded by the chairman would only create additional confusion, with three different rates coming into effect in the course of a 12-month period.

Summing it up, I ask that my friend from Montana modify the agreement in the way I described.

Mr. BAUCUS. Mr. President, I don't think this is the way to do business here; that is, to enact estate tax law here on the floor of the Senate without any notice, and also because there are so many considerations Senators on both sides want to look at. It would be improper. I object.

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BAUCUS. Mr. President, I yield 5 minutes to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, let me speak in support of what Senator BAUCUS, the Senator from Montana, attempted to do just now—to get a short-term extension of current law with regard to the estate tax, so we would have a $3.5 million exemption from the estate tax into next year for a short period, while we actually settle on what type of permanent change in estate tax law is appropriate.

As the Senator from Montana pointed out, the circumstance we find ourselves in right now, given the current state of the law, is untenable and irresponsible. What the current status is that if a person dies in the next 16 days, if their estate exceeds $3.5 million, they will be subject to an estate tax, and a couple whose estate—when the second member of the estate dies and their estate would exceed $7 million, they would be subject to an estate tax.

After the next 16 days, beginning on January 1 of next year, we have no estate tax under the law as it now exists. But at the end of next year—or the beginning of 2011—the estate tax comes back at a 55-percent rate.

That is not a reasonable set of circumstances for the American public to have to face. Not only is it a 55-percent rate that comes back on January 1, 2011, the exemption—the amount that is exempt from the estate tax—is reduced to $1 million. That is, obviously, adverse to many families in this country.

What has happened on the Senate floor is that the Senator from Montana has said let's do a short-term extension of the current estate tax provisions for a few months and get a resolution of what should be done on a permanent basis. The Republican leader has said: No; here is a permanent solution. Take this permanent solution or we object.

That is not a responsible way for this body to proceed, in my opinion. I do

think this issue that both Senator REID and Senator BAUCUS have spoken about of this problem with a stepped-up basis going away for inherited assets is a very real problem. It is arcane, I understand that. It sounds like accounting speak. But it is a very real problem for American families when they inherit property in the future to have to take the value for purposes of paying capital gains tax. If that property is ever sold, they will have to go back and try to determine what was the basis that their parent or the person from whom they inherited the property had in that property. It is a bookkeeping nightmare and will create great confusion for American families.

Clearly, the right course is for us to do a short-term extension of the current estate tax provisions and then get agreement between the two parties as to what a long-term solution could be in the next couple of months.

That course, evidently, is being blocked. The request was made yesterday, I understand, by Senator PRYOR to have a short-term extension. The Republican leaders objected to that request. The same objection has been raised to the request by Senator BAUCUS today.

I do think this is an unfortunate circumstance. It is a great disappointment to me to see us doing business in this fashion. I know there are many who think there should be no estate tax. I do not agree with that perspective. The estate tax in my State—I went back and got the IRS figures. There were 80 individuals in the year 2008 who wound up having to pay some estate tax, whose estates had to pay some estate tax in the State of New Mexico. It does not apply to most individuals.

I do believe it is appropriate that there be an estate tax for large estates. I do believe we should have a consistent policy, and it should not be something that is here today, gone tomorrow, and back again in a much worse form at the beginning of January 2011. That is the course we are on today. I think it is very unfortunate.

Again, I strongly support what the Senator from Montana was trying to accomplish with his unanimous consent request.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that Senator KYL be permitted to speak for up to 5 minutes and that following his remarks, the hour of controlled time on the health care legislation begin.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

Mr. KYL. Mr. President, the argument that the chairman of the Finance Committee made reminds me of a story told in law school of the fellow accused of murdering his parents. He pled for mercy on the court since he was an orphan.

I asked the chairman of the committee numerous times this year to address this problem, and the response always was: We are too busy. We are too busy with health care was the usual response. Now we find ourselves at the end of the year, and it is odd that the chairman argues that we have a big emergency on our hands and we have to act.

It is not as if we have not known this issue was out there. Nor, as Senator BINGAMAN just suggested, has it been a big mystery that the rate on the estate tax was going to go to zero next year. That is the 2001 law. We have known that for years.

Frankly, people have applauded the fact there is not going to be an estate tax next year. The only problem is if the people on the other side of the aisle intend to repeal that law so we do have an estate tax. I know that is their intention. They are creating the confusion because the law has been known about for 10 years that we are going to have a zero rate. Now all of a sudden they say we cannot let that happen. We are going to have to change it next year. Since we think we may be able to do that, we should extend what we have right now and not let the zero rate take hold.

I suspect the great dilemma that is being posed is one most folks would love to have as a problem. The dilemma being proposed is that if the rate goes to zero and the heirs of the property decide to sell the property at some point, they will have to pay a capital gains tax. That is just fine. That is what most people would like to do.

Since this income is taxed twice—it is taxed once when you make the income, then it is taxed again if you have any of that left over when you die—that is unfair. What we have always argued is that the estate tax, therefore, should go away and just leave the existing Tax Code where it is, which says: If somebody inherits property and later sells that property, sure, they should pay a capital gains tax on it. I would think most people would think that is a pretty good deal.

The capital gains tax is 15 percent; whereas the estate tax under the proposals of my friend from Montana would go to 45 percent. As between paying 45 percent and 15 percent, I think it is pretty clear what most small business folks and farmers would like to do.

Of course, the original basis of the property is the basis for paying the tax. Again, if you put that question to small business folks or farmers, they would tell you they would rather pay the capital gains tax than they would an estate tax of 45 percent.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an editorial from the Wall Street Journal from December 11 called, ''The Tax That Won't Die, Death Blow, Night of the Living Death Tax, Estates of Pain.''

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. Mr. President, among the things pointed out in this editorial, they say:

> We've long argued that the economically optimal and fairest death tax rate is zero. The tax is applied to income that was already taxed when it was earned, so it is a double tax on savings and capital. The correct way to tax a gain in the value of assets bequeathed to an heir is with a capital gains tax of 15 percent when the assets are sold, rather than at the time of the funeral of the original owner.

I think that says it all. I hope the problem my friends are so concerned about—first of all, they recognize a problem they themselves manufactured by not getting around to doing anything about this until the eleventh hour. Second, it is a problem that does not have to exist if they will leave the existing law alone and let the rate go to zero, which is what everybody wants it to be.

Sure enough, if your heirs sell property after that, they will have to pay capital gains. Ask them what they would rather do—pay a 15-percent rate or a 45-percent rate. I think the answer to that is pretty clear.

EXHIBIT 1

[From the Wall Street Journal, Dec. 11, 2009]

THE TAX THAT WON'T DIE

Well, the moment of truth has arrived, and House Democrats recently voted 234–199 to cancel the 2010 repeal and hold the rate permanently at 45% with a $3.5 million exemption. Senate Majority Leader Harry Reid now wants to do the same. But to suspend the Senate's health-care debate and turn to the estate tax, he needs 60 votes. All Republicans and some Democrats are saying no. Blanche Lincoln of Arkansas and Jon Kyl of Arizona will accept no more than a 35% permanent rate with a $5 million exemption.

We've long argued that the economically optimal and fairest death tax rate is zero. The tax is applied to income that was already taxed when it was earned, so it is a double tax on savings and capital. The correct way to tax a gain in the value of assets bequeathed to an heir is with a capital gains tax of 15% when the assets are sold, rather than at the time of the funeral of the original owner.

Study after study, including one co-authored years ago by White House economist Larry Summers, finds that a powerful motivation for entrepreneurs to grow their businesses is to pass that legacy to their children. The left disparages this as building ''family dynasties,'' but most Americans think that it is immoral for the government to confiscate the fruits of a life's effort merely because of the fact of death.

Democrats also say their rate would apply only to the richest 2% of estates. But a new study by economists Antony Davies and Pavel Yakovel of Duquesne University finds that the estate tax ''impacts small firms disproportionately versus large firms'' by encouraging well-capitalized companies to gobble up smaller ones at the owner's death. The study shows the result is to ''promote the concentration of wealth by preventing small businesses from being passed on to heirs.''

Republicans and willing Democrats shouldn't give up on eliminating the death

tax. The Kyl-Lincoln amendment to create a permanent 35% rate is far better than the confiscatory House bill. But the best strategic outcome now is to let the death tax expire in January as scheduled under current law, and return to this debate next year when the tax rate is zero. Then let liberal Democrats explain to voters on the eve of elections that they must restore one of the most despised of all taxes.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, clearly, the right public policy is to achieve continuity with respect to the estate tax. If we do not get the estate tax extended, even for a very short period of time, say, 3 months, we would clearly work to do this retroactively so when the law is changed, however it is changed, or if it is extended next year, it will have retroactive application.

The uncertainty for tens of thousands of middle-class families needs to stop. That is why retroactive application of anything that passes next year makes sense.

Right now, 99.7 percent of estates do not have to worry about the estate tax. If we do not extend current law, many heirs are going to have to worry about capital gains. There is the potential for high-income households to take advantage of the temporary reductions in the rates for gift taxes and temporary elimination of GST to do massive estate planning—potentially benefiting those households by billions of dollars at the expense of U.S. taxpayers. Beyond this, what Congress is doing is a huge benefit for lawyers and accountants who do all the estate planning.

The right thing to do is to extend current law for a brief period of time to get our act together to decide what estate laws should be. That is the right thing to do. I am very disappointed that the other side of the aisle does not let us do the right thing—at least extend current law for a while until we know what the estate tax law should be.

Mr. COBURN addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. BAUCUS. Mr. President, for the benefit of Senators, we are now back on the health care bill. Let me lay out today's program.

It has been nearly 4 weeks since the majority leader moved to proceed to the health care reform bill. This is the 16th day that the Senate has considered the bill.

The Senate has considered 23 amendments or motions and conducted 18 rollcall votes.

Today the Senate will debate the motion to commit regarding taxes offered last night by the Senator from Texas, Mrs. HUTCHISON. Under the previous order, later this morning, we expect that the Senator from Vermont, Mr. SANDERS, will offer his amendment No. 2837 on a national single-payer system.

This morning, the first hour of debate will be equally divided and controlled between the two leaders or their designees. The majority will control the first half hour and the Republicans will control the second half hour.

We expect the Senate to conduct votes today in relation to the Hutchison motion and the Sanders amendment.

Also, today, the House of Representatives is scheduled to act on the Department of Defense Appropriations Act which also contains a number of vital year-end measures. We look forward to receiving that measure in the Senate as well.

I yield 10 minutes to the Senator from Ohio and then 15 minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator BAUCUS for yielding, and I thank Senator KAUFMAN also for him yielding.

Less than 5 percent of cancer patients enroll in clinical trials. Only 6 percent of people who suffer from severe chronic illnesses participate. These low participation rates mean it is harder to conduct a timely trial. In fact, delays in patient recruitment for clinical trials account for an average of almost 5 months lost per trial. Nearly 80 percent of trials run over schedule by more than a month. Only 6 percent are completed on time.

Clinical trial delays lead to treatment development delays, whether it is the next breakthrough drug or some other lifesaving therapy. Without clinical trials, medical innovation would come to a halt.

Unfortunately, one major reason more patients do not enroll in clinical trials is that their insurance company coverage discourages it.

Insurers today take advantage of lax regulations that allow them to deem all care for a person in a clinical trial as ''experimental''—even routine services they would get if they were not in the trial, such as x rays, blood tests, and doctor visits.

This draconian policy predictably scares many patients away from potentially lifesaving trials. Patients simply cannot afford to pay out of pocket for all of their own care. Understand, they do not expect the insurance company to pay for the trial itself. No one is suggesting that. No one thinks that. But insurers should not be allowed to use a patient's participation in a clinical trial as an excuse to deny them coverage for standard care.

To address this problem, Senator HUTCHISON of Texas and I have filed amendment No. 2871. This amendment would require all insurance companies to simply live up to the promises they have made to their premium-paying policyholders. It means covering the cost of routine care for clinical trial participants.

More than 30 States have already enacted a similar clinical trials policy for their State-regulated insurance plans. Medicare has already enacted a similar clinical trials policy for its beneficiaries. The VA and DOD have already enacted similar clinical trials policies for their members. Even some insurance companies are already doing the right thing in covering the routine costs associated with clinical trials.

But because many are not and because there is no standard criterion by which appeals can be adjudicated, countless patients who would otherwise enroll in clinical trials do not.

Take, for example, Sheryl Freeman from Dayton, OH. Sheryl and her husband Craig visited my office in Washington in 2007. Sheryl was a retired teacher suffering from multiple myeloma. Thankfully, she had health insurance through her husband's employer. Yet when Sheryl tried to enroll in a promising clinical trial at James Cancer Hospital at Ohio State, her insurance company balked, refusing to cover the routine care costs.

Understand this: She had insurance, she had good insurance—she thought she had good insurance. She enrolled in a clinical trial paid for by the people doing the clinical trials—the hospital, the drug company, whomever. But the insurance company pulled back and said: We are not going to cover routine care for her anymore since she is in a clinical trial, something she was entitled to with or without the clinical trial. Regardless of whether or not Sheryl enrolled in a clinical trial, she still needed to visit her oncologist in Dayton once a week for standard cancer monitoring, including scans and blood tests. But her insurance company would stop covering these services if she enrolled in the clinical trial.

Sheryl wanted to enroll in a clinical trial because she hoped it would save her life. She hoped it would give her more time with her loved ones. She hoped it would help future patients diagnosed with the same type of cancer, but she was not willing to force her family into bankruptcy. So instead of devoting her energy toward combating cancer, Sheryl spent the last months of her life haggling with the insurance company. By the time her insurance company relented, it was too late. Sheryl died December 7, 2007.

Sheryl's husband Craig, with whom I have spoken a couple of times and met with, wrote the following about the ordeal:

No patient should have to fight insurance when battling a disease such as cancer.

How many times have we heard that in this Chamber? Tragically, Sheryl's experience is not an isolated case.

In Ohio—my State—one cancer hospital has reported that over one-third of patients who tried to enroll in a clinical trial over a 6-month period were automatically denied access by their insurance company. Again, I understand how that happens. You have decent insurance, you think. Then you decide to enroll in a clinical trial that your doctor suggests. The insurance company then quits covering you for the things it used to cover you for—the routine care you need as a patient.

Take Gene Bayman. I met and talked to Gene—a courageous man who loved his family. His family was so fond of him, as you could see, when I saw him in Columbus with his family. He was diagnosed in February 2007 with multiple myeloma. Gene's doctor recommended a combination of standard treatment and clinical drugs, but Gene's insurance company threatened to stop paying for the routine care otherwise covered under the policy if he enrolled in the clinical trial.

If that is not rationing, Mr. President, I don't know what is.

Gene died in June of this year, never having the chance to participate in the cutting-edge research that might have saved his life. Gene wrote, before he died:

> I don't want my health options limited by insurance companies concerned with the bottom line rather than the medical research my doctor prescribes.

Mark Runion, also from Ohio, faced the same barrier. Mark was being treated for multiple myeloma with standard care—a stem cell transplant and chemotherapy. His doctor recommended he enroll in a clinical trial to try out a new drug that might help him recover quickly. The insurance company refused to comply, telling Mark if he were to enroll in the clinical trial they wouldn't pay for any of his cancer care. Another terrible lost opportunity. The clinical trial would have helped us learn more about which drugs we should administer to patients after stem cell transplants. In other words, while this most directly, most tragically, most painfully affected Mark Runion and his family, it also affects all of us who have loved ones or who might ourselves come down with this disease. The clinical trial that Mark wanted to enroll in would have given him an opportunity and would have given all of us more scientific knowledge and information that would have been helpful.

Instead, the insurance company took a shortsighted view and denied Mark the recommended care. Mark writes:

> I personally would rather make my medical decisions with my doctor—the expert in my care—rather than my insurer.

These stories should have ended differently. Sheryl, Gene, and Mark all paid premiums to health insurance for years. But when they got sick and were referred to a clinical trial, the insurance company refused to pay for the benefits guaranteed under its policy.

Health insurance reform should be about making sure insurance companies can't renege on their commitments. It is about ensuring that insurance companies can't write sham policies that allow for rescissions and riders and exceptions and bring about more horror stories than we all care to recount. It is about closing loopholes that health insurance companies are great at taking advantage of, and as some say, staying one step ahead of the sheriff.

This amendment is consistent with those goals. It would help advance important research in the most serious diseases. This is a public health issue for all of us.

In closing, if we are ever going to find a cure for cancer and diabetes and cardiovascular disease and Alzheimer's and ALS and the hundreds of other diseases killing millions of Americans each year, we need to encourage in every way possible participation in clinical trials and not put up barriers against participation.

This amendment is endorsed by the Lance Armstrong Foundation, the American Academy of Pediatrics, the Susan G. Komen for the Cure Advocacy Alliance, the American Cancer Society, the Alzheimer's Foundation of American, and dozens of other national organizations.

Along with Senator HUTCHISON, this bipartisan amendment is also sponsored by Senators FRANKEN, WHITEHOUSE, SANDERS, SPECTER, and CARDIN. Please join us in supporting amendment No. 2871.

I yield the floor.

The PRESIDING OFFICER (Mr. KIRK). The Senator from Delaware is recognized.

Mr. KAUFMAN. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINANCIAL MARKETS AND JOB LOSS

Mr. KAUFMAN. Mr. President, my colleagues have heard me speak in recent weeks about the troubling trends in our financial markets—the growing use of dark pools and high-frequency trading, increasing market fragmentation and looming regulatory gaps at the Securities and Exchange Commission. Today, I want to talk about an economic threat that encompasses these developments and why I think they are negatively affecting the long-term health of our economy.

After suffering through the most severe recession in decades, we are now in the midst of the most fragile of recoveries. It is evident to all that we are in a jobs crisis. We need a laser-like focus on innovation policies that encourage industry to create jobs. But this challenge comes not just from the financial crisis and the recession that followed, the American economy has slowed in its efforts to create jobs for the past decade.

According to the Bureau of Labor Statistics, the United States had 108.5 million private, nongovernmental jobs as of September of this year. But while our population has grown 9 percent in the last 9 years, the number of jobs now available is essentially the same as June of 1999.

Let me repeat that: The number of jobs now available is essentially the same as June of 1999—over 10 years ago.

Many of the jobs this economy did create in the past decade were in the financial, housing, and consumer-led retail sectors. Two of those—financial and housing—were bubbles that have now burst. Without these sectors playing a key role in providing new jobs, many Americans are asking: Where will the future job creation most likely occur?

In the past, job creation would often come from the raft of small, newly financed, often innovative companies that raised their capital with the help of Wall Street underwriters. Thousands of times I have heard in the last months that the recovery is going to come because of small businesses, and many of those raise their capital with the help of Wall Street underwriters.

Now I am deeply concerned there is a choke point in our efforts to return to economic vibrancy, a choke point that can be found on Wall Street. Our capital markets, which have long been the envy of the world, are no longer performing one of their most essential functions; that is, the constant and reliable channeling of capital through the public sale of company stock, known as initial public offerings—or IPOs—which small companies use to innovate and, most importantly, to create jobs.

Look at this chart. There is an IPO crisis in this country. Indeed, according to a report released last month by the accounting firm Grant Thornton, the IPO market in the United States has practically disappeared. That, in turn, according to a second Grant Thornton study, has had a ripple effect on the U.S. stock markets, with the number of stock listings since 1991 dropping 22 percent in absolute terms and 53 percent when factoring in inflation-adjusted GDP growth.

New companies have been shed from the NASDAQ, New York, and American Stock Exchanges faster than being created, from almost 7,000 publicly listed companies in 1991 and nearly 8,900 in 1997, during the dot-com bubble, to 5,400 listed in 2008, a turn of events Grant Thornton has dubbed the ''Great Depression of Listings.''

The United States is practically the only market in the world where this phenomenon is occurring. The major stock exchanges—as you can see from this chart—in Hong Kong, London, Milan, Tokyo, Toronto, Sydney, and Frankfurt, have all grown from their 1997 levels, Grant Thornton reports. Just look at this chart. This is what is going to take us out of the recession. Look at where we are—the United States—in relation to Hong Kong, Tokyo, Australia, and the other markets.

The effects of the IPO crisis have rippled throughout the U.S. economy. Because 92 percent of job growth occurs after a company goes public, job creation may have been stunted by these developments. In fact, according to the Grant Thornton study, if the IPO market was working properly today, we would have as many as 10 million to 20 million additional high-quality jobs for middle-class Americans. Even if that estimate is off by a factor of 10, this failure of Wall Street to provide capital to small companies may be costing our economy millions of jobs.

Mr. President, most every large company begins as a small company. That is axiomatic. The IPO market has been hit hardest at the smallest end of the market. The medium IPO in the first 6 months of 2009 was $135 million. Let me say that again—$135 million. Twenty years ago, IPOs at $10 million were routine, and routinely succeeded.

Take a look at this chart and look at these companies. Venture capitalists play a critical role in long-term investment, in growing our economy and creating jobs. Indeed, when you look at these 17 venture-backed companies that raised a total of $367 million in capital and today provide 470,000 U.S. jobs, they are among our economy's biggest success stories.

Look at this list. Think of where we would be today if these companies were not able to get IPS: Adobe, Computer Associates, Intel, Oracle, Yahoo. These are all the companies where growth came from. Right now, in our present market, they cannot go public the way they went public originally.

What has happened? A host of well-intentioned changes—some technological, some regulatory—with many unintended consequences have created this situation. Online brokerage firms, with their $25 trades, first appeared in 1996, hastening the decline of traditional full-service brokerage firms who charge $250 a trade. There was an advantage to those hefty fees, however. They helped maintain an underwriting apparatus that encouraged small businesses to go public and supported a substantial research base that attracted both institutional and retail clients.

The rich ecosystem of investment firms, including the Four Horsemen—Robertson Stephens, Alex Brown & Sons, Hambrecht & Quist, and Montgomery Securities—that helped their institutional buy-side clients take part in IPOs and marketed follow-on offerings, no longer exists today.

Structural changes in the U.S. capital markets dealt the final coup de grace. There were new order handling rules—decimalization, which shrank spreads significantly and made it increasingly difficult for traditional retail brokers to remain profitable; Regulation ATS and NMS, which vastly expanded the electronic marketplace.

Finally, there has been an explosive growth in high-frequency trading, which takes advantage of the market's now highly automated format to send more than 1,000 trades a second ricocheting from computer to computer.

The result, as The Economist magazine wrote last week, is that high-frequency traders who have come to dominate stock markets within their computer-driven strategies pay less attention to small firms, preferring to jump in and out of larger, more liquid shares.

The economist quoted:

> Institutional investors wary of being stuck in an illiquid of the market are increasingly following them.

This is a situation that stands as a veritable wall against a sustained economic recovery.

One of the very vital tasks before Congress is to help unemployed Americans by crafting innovation policies that will rebuild our economy, catalyze growth, and create high-quality jobs for struggling Americans. That is our No. 1 job in the Congress right now. I think if you asked every 1 of the 100 Senators, they would say that is the case.

We must identify the causes of last year's debacle and apply them to our current economic challenges in order to help the millions of struggling Americans and to avert a future disaster. The fact that Wall Street has resumed its risky and—as we know all too well—potentially disastrous behavior is simply inexcusable.

In order to reverse this ominous trend and help companies raise capital to innovate, create jobs, and grow, we must restore the financial sector's historical role as a facilitator of long-term growth and not the source of one bubble after another.

The question, finally, is this: How can we create a market structure that works for a $25 million initial public offering, both in the offering and the secondary aftermarket? If we can answer that question, this country will be back in business.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KAUFMAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Mr. President, I ask to speak as in morning business for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN PRAISE OF WILLIAM PHILLIPS

Mr. KAUFMAN. I rise once again to recognize one of America's great federal employees.

Last week, in Stockholm and Oslo, the 2009 Nobel laureates accepted their prizes. I am particularly proud that 11 of this year's 13 prizes were won by Americans. This is a reminder of our Nation's global leadership in science, medicine, economics, and peacemaking.

My honoree today holds the distinction of having been the first Federal employee to win a Nobel Prize in physics for work performed while serving the public.

Our Federal workforce is composed of citizens who are both highly educated and incredibly motivated.

Dr. William Phillips is the perfect example. A native Pennsylvanian, William learned the importance of public service and hard work from a young age. His mother, an immigrant from Italy, and his father, a descendent of American revolutionaries, were the first in their families to attend college. They both pursued careers as social workers in Pennsylvania's coal-mining region. William, along with his brother and sister, grew up in a home where reading and education were emphasized.

As a boy, William fell in love with science, and he tinkered with model rockets and chemical compounds in the basement of his family's home. While attending Juniata College in the 1960s, William delved into physics research. He spent a semester at Argonne National Laboratory and, after graduation, pursued his doctorate at M.I.T.

During his time at M.I.T., the field of laser-cooling was just heating up, and William wrote his thesis on the collisions of atoms using this new technology.

In 1978, William began working at what is today the National Institute for Standards and Technology—or ''NIST''—at the Department of Commerce. At NIST, he pursued further research into laser-cooling, and his discoveries have helped open up a new field of atomic research and expand our knowledge of physics. His findings have found important application in precision time-keeping, which is important for both private industry and for national security.

In 1997, William received the Nobel Prize for Physics along with two other scientists. One of his fellow-laureates that year was Dr. Steven Chu, who now serves as Secretary of Energy.

After winning his Nobel Prize, William made a commitment to using his fame to promote both science education and public service. He regularly speaks to student groups, and he serves as a mentor to graduate students in his field.

William won the prestigious Arthur S. Flemming Award for Public Service in 1987, and he was honored by the Partnership for Public Service with its 2006 Service to America Medal for Career Achievement.

He and his wife, Jane, live in Gaithersburg, MD, and are active in their community and church. Today, after a 3-decade Federal career, William continues to work at NIST as the leader of its Laser-Cooling and Trapping Group.

I hope my colleagues will join me in honoring Dr. William Phillips and all those who work at the National Institute of Standards and Technology for their dedicated service and important contribution to our national life. They keep us at the forefront of science and human discovery. They do us all proud.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, before my colleagues begin, I think it is important for us to point out where we are here on December 16, 2009. We are now almost a year into the discussion and debate about ''reforming health care in America'' and we still do not know what is in the bill. We still do not know the specifics of what we are considering here.

I have had the honor of serving here for a long period of time, but I have never seen a process like this. I have never seen a situation where a major piece of legislation is not before the body and is somehow being negotiated and renegotiated amongst the other side. Meanwhile, according to the Washington Post this morning, a newspaper I always have the utmost trust and confidence in—I wish to say the title is ''Public cooling to health-care reform as debate drags on, poll finds.''

As the Senate struggles to meet a self-imposed, year-end deadline to complete work on legislation to overhaul the nation's health-care system, a new Washington Post-ABC News poll finds the public generally fearful that a revamped system would bring higher costs while worsening the quality of their care.

A remarkable commentary about where we are in this legislation. One of the interesting things is this poll goes back to April, where in April, 57 percent of the American people approved and 29 disapproved of the President's handling of health care. Today it is 53 disapprove and 44 approve, which means the American people, the more they find out about this, the less they like it and the more concerned they are. According to this poll again:

Medicare is the Government health insurance program for people 65 and older. Do you think health-care reform would strengthen the Medicare program, weaken Medicare or have no effect on it?

American people have figured it out. Amongst seniors, those who are in Medicare, 12 percent say it would strengthen, 22 percent no effect, and 57 percent of seniors in America believe—and they are correct—that this proposal would weaken Medicare, the benefit they paid into and that they have earned.

Let me say it again: I plead with my colleagues on the other side of the aisle and the majority leader. Let's stop this. The American people do not approve of it. Let's sit down and work together; let's have real negotiations; let's even have the C–SPAN cameras in, as the President promised October a year ago. This present legislation spends too much, taxes too much, and reduces benefits for American citizens as far as overall health care is concerned, including Medicare, as the American people have figured out.

I welcome my colleagues here. I see Dr. COBURN is here. Let me restate: It is time to say stop. It is time to start listening to the American people. It is time to start being straightforward with the American people because the American people need to know what we are doing and they do not. The distinguished Senator from Illinois, last Friday when I asked him what is in the bill, said none of us know what is in the bill.

I ask my friend from Oklahoma, isn't what is happening—we have a proposal, we send it to CBO, CBO sends back numbers they do not like so they try to fix it, send it back to CBO, they send it back again. That is why only one Senator, the majority leader, knows what is going on.

Mrs. HUTCHISON. Mr. President, parliamentary inquiry.

Mr. MCCAIN. What is the parliamentary situation, I ask the President?

Mrs. HUTCHISON. Mr. President, I was under the impression there would be a 30-minute allocation for colloquy for our side. I am not sure when we start that process.

The PRESIDING OFFICER. The Republican side has 25 minutes 15 seconds.

Mrs. HUTCHISON. How many?

The PRESIDING OFFICER. There is 25 minutes 15 seconds.

Mr. MCCAIN. Mr. President, I thank the Chair. I think I have made my point here. I wish to yield. I ask unanimous consent to have a colloquy with the Senator from South Dakota, the Senator from Texas, the Senator from Oklahoma, and the Senator from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. If I might respond to the question of the Senator, one of the things our President has promised is transparency. We are going to see at sometime in the next week or 10 days another bill—whatever the deal is. It would seem to me that 72 hours with a complete CBO score, much like was asked by 12 Members on their side, before we have to take up or make any maneuvers on that, would be something everybody could agree to since nobody knows, except HARRY REID and the CBO, what is in this bill now. At a later time, after we finish this colloquy, I will be making that unanimous consent request.

Mrs. HUTCHISON. I thank the Senator from Oklahoma. I think it is very important that before we start talking about passing a bill or having a cloture on a bill—I think the Senator from Oklahoma is making the main point. I think the Senator from Oklahoma was making a very good point that I was hoping to work with him on and that is: Where are we now? The Republicans have put forward reform alternatives for our health care system that are not a government takeover and are not going to be $½ trillion in taxes and are not going to be $½ trillion in Medicare cuts.

The Republican proposals would do what health care reform should do—they would lower cost. They would increase risk pools so that small business would be able to offer health care coverage for their employees. They would have medical malpractice reform so we would be able to lower the cost of frivolous lawsuits, cutting over $50 billion out of the costs of health care, making it more accessible for more people. They would give tax credits for individuals who would buy their own health care coverage to offset that cost.

None of that would be a big government takeover of health care. That is what we have been trying to put forward here. But we have not had a seat at the table. We have not had the capability to say what our proposals would be because we have not even seen the proposed new bill yet. We have been talking about the tax increases that are going to burden small business at a very hard time for this country's economy and we have also been talking about $½ trillion in Medicare cuts, which I think has caused many senior citizens to say: Wait a minute, I don't want my Medicare options cut. I don't want Medicare Advantage to be virtually taken away.

That is why we are here today, because the pending business before the Senate is the Hutchison-Thune motion to recommit this bill to do a simple thing. It is to say that you will not start collecting the taxes until the program is in place. It is very simple. It is the American sense of fair play, and that is that you do not start collecting taxes before you have a program that you might want to buy into. That is what the Hutchison-Thune motion to recommit does. It is very simple. It is a matter of fair play. I even question whether we have the right to pass taxes for 4 years before you would ever see a program put in place.

We are going to try to do what is right by this body. That is to say, the $100 billion in new taxes that will start next month—3 weeks from now—will not start until there is a program put in place. Because right now $100 billion in new taxes starts next month but there is no program that anyone can sign up for that will supposedly make it easier to get health care coverage in this country until 2014, 4 years away.

I ask my colleague, the distinguished ranking member of the Finance Committee, if he believes all these new taxes would be fair to start before we could ever see a program—not 1 year from now, not 2, not 3 but 4 years from now. I ask the distinguished ranking member of the Finance Committee if he believes it would be fair for us to start the taxes in 3 weeks and then not start the program for 4 years. Does that seem like a fair concept?

The PRESIDING OFFICER (Mr. CASEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, the Senator is absolutely right. Let me emphasize it this way. I was on a radio program in Iowa yesterday, where a lady called me, and I had been saying, as the Senator has just said, that you have to wait until 2014 for this program to go into effect. She said: You are telling me you are going to pass this bill right now, but we have to wait until 2014 until we get any benefit from it? She didn't talk about the taxes, as the

Senator is, but the taxes go into effect. Another smokescreen is, you have 10 years of tax increases, fee increases, and the program is 6 years long, but the taxes are 10 years long. So it is nice for the CBO to say: Yes, this is balanced and maybe even has a surplus in it. But over the long term, this program does not cost just $848 billion. I hope I answered your question.

Mrs. HUTCHISON. You did. It is interesting because you say maybe it is going to be break even. How is it going to break even? I ask my colleague from South Dakota, who is a cosponsor of this motion: How is it going to break even? With $½ trillion in Medicare cuts, $½ trillion in tax increases, is that the way we ought to be saying to the American people we will reform health care? Have we lost the purpose of the bill, to make health care more affordable and accessible to the American people? I ask my colleague, the Senator from South Dakota, who has worked on this issue for a long time, is that the concept of break even?

Mr. THUNE. The Senator from Texas has touched on a very important issue. The motion she offers, and which I cosponsor, does lay out what is a simple principle of fairness that most Americans understand. When you implement public policy, if you are going to raise taxes, you ought to align the tax increases and the benefits so they start at essentially the same time. What this bill does is it starts collecting taxes, increases taxes on Americans 4 years before the major benefit provisions kick in. On January 1 of 2014, 99 percent of the spending under the bill kicks in. But the tax increases begin less than 3 weeks from today. Sixteen days from now is when the tax increases in the bill start. A tax on prescription drugs, a tax on medical devices, a tax on health plans—all begin 16 days from now. A lot of those taxes will be imposed upon the American economy and passed on to people and small businesses in the form of higher premiums. People are going to get higher premiums 4 years before they are likely to see any benefit. Ninety-nine percent of the spending under the bill doesn't kick in until January 1, 2014, or 1,477 days from now. Most Americans, as they listen to the debate, believe as I do, as a simple principle of fairness, you ought to align the benefits and the taxes. We had a vote yesterday on the Crapo motion that would recommit all the tax increases. Many of us believe raising taxes on small businesses when you have an economy in recession is not a smart thing to do; it is going to cost us a lot of jobs. Small businesses have made that clear. I also think, in addition to the principle of fairness that is at play, when it comes to raising taxes 4 years prior to the benefits kicking in, you also need to have a transparent sort of understanding about what the cost of the bill is going to be.

One of the reasons the revenue increases, the tax increases were begun immediately or 16 days from now, but the majority of the spending, 99 percent, doesn't occur until January 1 of 2014 and beyond is to understate the true cost. They wanted to bring the cost of the bill in under $1 trillion.

If you can see, starting this year and going through 2019, it ends up at about $1 trillion or $1.2 trillion on this chart. But if you look at the fully implemented period; that is, 2014, when the benefits and spending begin, and take that through the next 10 years, the total spending in the bill is $2.5 trillion over a 10-year period.

That is one thing the American people need to know. One of the reasons this is being done, tax increases starting January 1 next year or 16 days from now, most of the benefits not starting until 1,477 days from now, is so they can say this is only a $1 trillion bill or under $1 trillion, the way it has been advertised, when, in fact, it is going to cost $2.5 trillion when fully implemented.

We are here 16 days before the Christmas holiday, and there are things Congress needs to do. There are a number of fairly urgent matters that need to be dealt with before the end of the year, some of which have been mentioned this morning. But trying to jam through a new health care program, a $2.5 trillion expansion of the Federal Government in Washington, 70 new government programs, trying to jam it through in the next 9 days or so before Christmas seems to be done more out of a political necessity, the need for a political accomplishment or a political victory, than it does with making good public policy. As the American people are approaching this holiday season, the best thing we can do, the best Christmas gift we could give the people, frankly, is for Congress to adjourn and go home before passing this $2.5 trillion expansion.

What does it mean? If you are a small businessperson, the Christmas gift you get this year is a big lump of coal from the Congress in the form of higher taxes. If you are a senior citizen, 1 of the 11 million who are on Medicare Advantage and this bill passes, your Christmas gift this year is benefit cuts. The same thing applies to many of our providers—hospitals, nursing homes, home health agencies, hospices. If you are an average American family who is worried about the high cost of health care, your Christmas gift this year is, if this bill passes, that your health insurance premiums will continue to go up year over year at twice the rate of inflation. You lock in higher premiums for most people across the country, you raise taxes on small businesses, you cut benefits to Medicare beneficiaries and, for future generations, you create a $2.5 trillion new entitlement program they will be paying for, for as far as the eye can see.

The CMS Actuary, last week, said, in addition to all the other things they mentioned—the overall cost of health care is going to go up, 20 percent of hospitals will close—that the Medicare cuts that are being proposed cannot be sustained on a permanent basis. If that is true, how will this be financed? Either with more taxes or borrowing, putting it on the debt and handing the bill to future generations. That is what we are left with. Once you lock in a $2.5 trillion expansion of the Federal Government, it is going to be hard to reduce the cost. The spending is not going to go away. The way it will be paid for, if the Medicare cuts are not sustainable, is the tax increases. The increases that are already in here would have to be increased even further or, worse yet, for future generations, if you are a young American, it will be put on your bill.

The Senator from Texas and my colleagues who are here this morning all voted yesterday to get rid of the tax increases in the bill. But the motion she offers and that I cosponsor would at least, as a principle of fairness, make sure those tax increases don't begin before the benefits do.

Mrs. HUTCHISON. Mr. President, the 2 physicians out of the 100 Members of Senate are here this morning. They have talked for a long time about the quality of care. They are the two who have the credibility on this. I would like to ask the Senator from Wyoming, Dr. BARRASSO, to talk about what is going to happen to the quality of health care when you have $½ trillion in Medicare cuts, which we have discussed, and the bill we are discussing today and the motion Senator THUNE and I are offering, that is going to put a higher cost on every prescription drug, every piece of medical equipment. Perhaps you would expand on what kind of medical equipment is needed for people to have the quality of life we have in our country today and then the insurance companies, which are, of course, going to raise the premium of every person who already has coverage.

I ask the Senator from Wyoming, Dr. BARRASSO, in your experience, how is this going to affect the quality of health care?

Mr. BARRASSO. I am grateful to the Senator for bringing this up. I had a telephone townhall meeting last night, and this specific motion the Senator is bringing today came up with great praise from the people of Wyoming who said: She is doing it right, leading the good fight. After I answer the question, I will ask: How do we know the money is even going to be there? That is the question that came up in my telephone townhall. People of Wyoming are concerned, if this passes, it will make health care harder for people in rural States, such as Wyoming and Montana. My colleague from Montana is on the floor. The doctor shortage will worsen. This is the headline on the front page by the Wyoming Tribune Eagle: ''Doctor Shortage Will Worsen.'' There is a lot of concern for the folks in Wyoming and communities where there is a sole

hospital, a sole physician provider trying to recruit nurses and physician assistants and nurse practitioners. The doctor shortage will worsen as we see a situation where they will be cutting Medicare $500 billion, raising taxes $500 billion, and people who had insurance on this telephone townhall were very concerned that their insurance premiums are going to go up, in spite of the fact that the President has promised families would see insurance rates go down. We know those rates are going to go way up for people who buy their own insurance. People say: Don't cut Medicare, don't raise taxes, don't make matters worse than they are right now. For the people of Wyoming, they are afraid that matters will be made worse.

The Washington Post had a major poll in the paper today specifically asking seniors the question about Medicare. We are talking about health care quality, the quality of care. The question is: Do you think health care reform will strengthen the Medicare Program or weaken the Medicare Program? They asked specifically and broke it down to seniors. Only 1 out of 8 seniors in this poll said it actually would get better. But the rest are saying: No, it is going to get worse. The seniors who watch this most carefully know what it means to try to get health care under the Medicare Program, a program that we know is going broke. Yet they are taking all this money not to save Medicare but to start a new program. We know the quality of care is going to go down. That is what the people of my home State and the people I talked to from around the country are concerned about. They are delighted the Senator offered this motion.

I did a poll in the townhall meeting: Are you for or against the bill? Some of them say: What is in it? We don't know. Which is exactly what the junior Senator, a Democrat from Indiana, said in today's national press release: We are all being urged to vote for something, and we don't know the details of what is in it. The junior Senator from Indiana is a Democrat. He doesn't know what is in it. The people of Wyoming don't know what is in it. But they do know taxes start immediately, benefits not for 4 years. That is why they are happy you offered this motion. They want to know: How do we know the money will be there 4 years from now?

Mrs. HUTCHISON. That is a very important question. Here we are going to start collecting the taxes for 4 years before the program is put in place. The distinguished Senator from Oklahoma, the other physician in this body, knows we have had promises from the Federal Government before. But I can't remember a time when we started collecting a tax for a purpose that would be 4 years away. What on Earth could people expect to actually be there when the program kicks in?

The program is going to have to be implemented. It is going to have to be brought up to speed. I am sure there will be changes. What would you think your patients whom you still care for in Oklahoma or the ones, in the experience you have had, how do you think people are going to react to having higher costs in all these areas of health care for 4 years, even a tax on the high-income plans, not high-income people having those plans but high coverage that a union member might have that will start being taxed in 2013, 1 year before the program takes effect?

How do you think that is going to affect the quality of health care people can expect and the cost to them out-of-pocket when there would be nothing even on the drawing boards for 4 years?

Mr. COBURN. To answer the Senator's question, No. 1, as we already know, the Oklahoma State employees' health insurance plan, in 2013, will be considered a Cadillac plan. That is every State worker in the State of Oklahoma. And they can hardly afford their copays and their premiums in that plan today. So what we know is, we are going to tax all the Oklahoma workers. Many of those are schoolteachers who happen to be my patients, and they are struggling today.

So this disconnect between when the taxes are——

Mrs. HUTCHISON. I ask the Senator from Oklahoma, you are saying that a schoolteacher is probably not making $200,000 or more?

Mr. COBURN. Not at all.

Mrs. HUTCHISON. Yet we were promised there would be no taxes, no harm to people making under $200,000. Remind me if there is a teacher in Oklahoma—because I know there is not one in Texas—making over $200,000.

Mr. COBURN. Well, our teachers wish they made what the teachers in Texas make, but they do not. But they do not make anywhere close to $200,000. It does not just affect the Department of Human Services workers, it is also going to impact the premium increases that are going to come about before this plan is implemented. We are going to see premium increases. So the small businesses that are now covering people are going to have massive premium increases. The individuals who are buying insurance in the open individual market themselves are going to see premium increases. The fact is, that is all going to happen before the first benefit, the first real benefit—other than preexisting illnesses—before anybody sees any benefit to that.

The other thing that is not talked about is, with the skewing of this and with the relatively low tax on not complying with it, our youngest, healthiest people are going to say: I don't want any insurance because all I have to do is pay, in the first year, $250—or even less—up to $750, and I can save thousands of dollars every year by not buying insurance, and buying it when I get sick.

So we are going to see everything skewed in the insurance market. That is what is going to drive up the premiums.

My constituents, plus my patients, are not happy about the delay. If we are going to make this, what I believe, is a fatal mistake for our country in terms of the quality of health care, then we ought to at least match the revenues with the expenses.

Mrs. HUTCHISON. That is exactly what the Senator from South Dakota and I are trying to do. We are trying to make sure Americans will not—will not—pay taxes and increased prices on prescription drugs, on coverage we do have, the policies we do have, and the equipment that is so necessary for health care services.

Senator THUNE and I want to do what is basic fairness and very simple; that is, to say the program starts and the taxes start at the same time. That is a tradition we have had in this country for years. We do not tax people 4 years from having any kind of program in place that they could choose from that might benefit them. We do not do that. That is not the American way, and it is certainly not anything we have done before.

What in the world would people expect to happen in 4 years? What if this plan is changed? What if the people rise up and say: We don't want this plan, and they say: No way, and they would have been paying higher premiums and higher health care costs already. It is a downpayment where you are not sure what the end is going to be.

It is like buying a house and saying: Now, in 4 years we are going to give you the key to the house, we are going to give you the key to the house that you bought 4 years from now. Oh, maybe there will be a change in condition, but you are going to get it. Maybe it will be damaged. Maybe it will be worn. Maybe it will have a fire that starts in part of it. But you will get those keys and then something will be there for you. We promise you. We are from the government, and we are going to promise you that.

That is not good enough. That is not what we owe the American people. And it is not health care reform.

I would just ask my colleague from South Dakota, who is the cosponsor of this motion, if he agrees that as a matter of simple fairness, openness, and transparency to the American people, health care reform should not mean 4 years of taxes before any program is put in place.

Mr. THUNE. I will say to my colleague from Texas, as to the taxes, the fees, the tax increases, everything in our motion very simply states they ought to be aligned with the beginning of the benefits. The benefits and the exchanges and, frankly, all the major policies—the substance of this bill—begin in 2014; the individual mandate, the State exchanges, the subsidies, as I said, premium tax credits, Medicaid expansion, the employer mandate, 2014; the government plan, 2014. The substance of this bill begins in 2014. Unfortunately, the tax increases begin 4 years earlier, 16 days from now. Sixteen days from now, January 1 of this

coming year, is when the taxes start being raised. And, of course, the CBO has said those tax increases are going to be passed on in the form of higher premiums to people across this country. The benefits start 1,477 days from now.

So what we simply say in this motion is, let's commit this bill and bring it back out with the tax increases—if there are going to be tax increases; and many of us believe there should not be any, which is why we voted for the Crapo motion yesterday—but if you are going to raise taxes on America's small businesses, families, and individuals, at least align those so the policy, the substance of this bill, which begins 4 years from now, is synchronized so we are not slapping a huge new tax increase on America's small businesses in the middle of a recession and passing on those higher costs, which is what they will do, to people in this country in the form of higher insurance premiums.

So I say to the Senator from Texas, this is a very straightforward, simple motion. I hope our colleagues on both sides will support it. It is a matter of principle, of fairness when its comes to making policy that I think the American people have come to expect. We ought to be honest and give the American people a complete understanding of what this bill really costs. Because they have done what they have done—by instituting the tax increases immediately and the spending 4 years from now—it understates the overall cost of this legislation. The American people need to know this is a $2.5 trillion bill when it is fully implemented. The only reason they can bring that in under that number is because they start raising taxes immediately and do not start paying benefits out for another 4 years.

So I say to the Senator from Texas, I hope when we get to this vote, it will be a big bipartisan vote in the Senate, and I hope we will make a change in this legislation that implements some semblance of fairness and also gives us a true reflection of what the bill really costs.

Mrs. HUTCHISON. I thank the Senator from South Dakota.

Just to recap, the amount that would actually be collected before any program is put in place would be $73 billion—already collected. That will include, as the Senator from Oklahoma mentioned, schoolteachers from Oklahoma who are considered to have these high-benefit plans, a schoolteacher making $50,000, $60,000 a year with a high-benefit plan. And do you know what the tax is on that high-benefit plan? Do you know what the tax is on that Oklahoma schoolteacher? A 40-percent excise tax—40 percent.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. Mr. President, I thank the Senator, and I would just say I hope we get a bipartisan vote on this motion. I hope we get a bipartisan vote to say the one thing we ought to do, if nothing else, is be fair to the American people. You do not pay taxes until the program is up and going.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask unanimous consent to offer some unanimous consent requests to the chairman of the Finance Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I offer a unanimous consent request that it not be in order for the duration of the consideration of H.R. 3590 to offer an amendment that has not been filed at the desk for 72 hours and for which there has not been a complete CBO score.

The PRESIDING OFFICER. Is there objection?

The Senator from Montana.

Mr. BAUCUS. Mr. President, reserving the right to object, I would like to just remind our colleagues, I have sought it, and I think it has been basically a very forthright, open process we have conducted here. Certainly in the Finance Committee—I see my colleague from Iowa on the floor—it was totally transparent for months upon months, with hearing upon hearing. We posted amendments in the Finance Committee on the Internet in advance of consideration.

I have never been part of a more transparent process since I have been here, frankly, at least for something of this magnitude over this period of time. In fact, one reporter even said to me: Senator, is this the new way we do things around here? It is so transparent, so bipartisan, and so forth. I said: I don't know. I sure like it that way.

I also remind all of us that Senator REID's amendment was made available on November 18 of this year, and 3 days later, on the 21st, we voted for cloture on the motion to proceed. Then, 12 days after the Reid amendment was made available, we finally began debate on the bill. And here we are, nearly a month later. So this bill has been out here.

The Senator mentioned, I note, having in mind the managers' amendment, which he has not seen and, frankly, this Senator has not seen either. I have some ideas what is in it, but I have not seen it myself.

I think as a practical matter this will be available for 72 hours, as the Senator suggests. Why do I say that? I say that because it is my expectation that Senator REID's managers' amendment will be filed very quickly, maybe in a day or two. It is also my expectation that we will then proceed, according to expectations here, to the Defense appropriations conference report, which we will then be working on for several days. And probably a cloture motion might be filed on the health care bill—on the managers' amendment probably not until after we do Defense appropriations. So during the interim, everyone is going to be able to see, at least for more than 72 hours, the contents of the managers' amendment in the health care bill which Senator REID is going to be filing. So as a practical matter, I think it is going to happen.

I cannot at this point agree to the request to lock that in for 72 hours, but I think as a practical——

Mr. COBURN. Will the Senator yield for a question?

Mr. BAUCUS. Yes.

Mr. COBURN. One of the reasons I want this, is it not his belief that the American people ought to get to see this for 72 hours as well and that it ought to be on the Internet and that everybody in America, if we are going to take one-sixth of our economy, ought to have the time to truly read—we are going to have a managers' amendment, and that is actually what mine is focused on.

Mr. BAUCUS. Sure.

Mr. COBURN. But to be able to truly not just read the managers' amendment but then go into the bill where it is going to fix the bill.

Mr. BAUCUS. I think that is a good idea. I think it is going to happen.

Mr. COBURN. But the Senator will not agree to it by unanimous consent?

Mr. BAUCUS. I cannot at this time but, again, saying it is my expectation it will be available for more than 72 hours.

Mr. COBURN. I appreciate the sincerity of the chairman's remarks.

Mr. BAUCUS. I thank the Senator. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, I have another unanimous consent request. The following consent request would be associated with a Coburn amendment that would certify that every Member of the Senate has read the bill and understands it before they vote on the bill. The reason I ask unanimous consent that amendment be agreed to and accepted is that is exactly what the American people expect us to be doing.

So we do not have a bill right now. We do not know what is going to be in the bill. The chairman has a good idea what is going to be in the bill, but he does not know for sure. Only two sets of people—Senator REID and his staff and CBO—know what is going to be in the bill. I suspect somebody at the White House might.

But we ought to take and embrace the idea of transparency and responsibility, that the American people can expect every one of us to have read this bill, plus the amended bill, and certify that we have an understanding for what we are doing to health care in America with this bill.

I ask unanimous consent that be accepted.

The PRESIDING OFFICER. Is there objection?

The Senator from Montana.

Mr. BAUCUS. Mr. President, reserving the right to object, I certainly agree with the basic underlying import that we should know what we are voting on here. But I must say to my good

friend from Oklahoma, I cannot certify that Members of the Senate will understand what they are reading. That presumes a certain level of perception on my part in understanding and delving into the minds of Senators that not only have they read but they have taken the time to understand. And what does ''understand'' mean? Understand the second and third levels, the fourth level of questions? I think it is a practical impossibility for anybody to certify that any other Senator has fully understood. They may read, but they may not fully understand for a whole variety of reasons. So I cannot certify that.

Mr. COBURN. Could I clarify my request?

Mr. BAUCUS. I have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Let me clarify my request that the individual certify themselves. I am not asking some group of Senators to certify some other Senator. I am saying that Tom Coburn tells his constituency: I have read this puppy. I have spent the time on it. I have read the managers' amendment, and I, in fact, certify to the people of Oklahoma that I know how terrible it is going to be for their health care.

Mr. BAUCUS. The Senator is always free to make any representations he wants. If he wants to certify he has read it and certify that he has understood it, that is the Senator's privilege.

Mr. COBURN. But the Senator won't accept that we as a body, on one-sixth of the economy, ought to say we know what we are doing?

Mr. BAUCUS. I can't certify that every Member of the Senate has done anything around here. Neither can the Senator from Oklahoma. That is an impossibility. But if the Senator wants to certify he has read it, that is great, and understands it fully, that is great, on any measure—not just this measure but any measure. But I can't certify that for 100 different Senators, on any measure. That is up to the individual Senators and that is up to their mental capacities and up to their initiatives and imaginations and conscientiousness and so forth. I can't certify to that.

Mr. COBURN. I thank the chairman.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senator from Vermont be recognized to proceed for at least a half hour.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

AMENDMENT NO. 2837 TO AMENDMENT NO. 2786

Mr. SANDERS. Madam President, I call up my amendment per the order.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself, Mr. BURRIS, and Mr. BROWN, proposes an amendment numbered 2837 to amendment No. 2786.

Mr. SANDERS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The assistant legislative clerk continued with the reading of the amendment.

Mr. SANDERS. Madam President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. There is objection.

The PRESIDING OFFICER. Objection is heard.

Mr. SANDERS. Madam President, may I ask my friend from Oklahoma why he is objecting?

Mr. COBURN. Regular order, Madam President.

The PRESIDING OFFICER. Regular order is the reading of the amendment.

The assistant legislative clerk continued with the reading of the amendment.

(The amendment (No. 2837) is printed in the RECORD of Wednesday, December 2, 2009, under ''Text of Amendments.'')

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Vermont is recognized.

AMENDMENT NO. 2837 WITHDRAWN

Mr. SANDERS. Mr. President, I withdraw my amendment.

Mr. COBURN. Regular order, Mr. President.

The PRESIDING OFFICER. The Senator has that right. The amendment is withdrawn.

Mr. SANDERS. Pursuant to the 30 minutes that I——

The PRESIDING OFFICER (Mrs. SHAHEEN). Under the previous order, the Senator from Vermont is recognized for 30 minutes.

Mr. SANDERS. Madam President, let me begin not by talking about my amendment but by talking about the Republican action that we have seen right here on the floor of the Senate. Everybody in this country understands that our Nation faces a significant number of major crises—whether it is the disintegration of our health care system, the fact that 17 percent of our people are unemployed or underemployed, or the fact that one out of four of our children is living on food stamps. We have two wars, we have global warming, we have a $12 trillion national debt, and the best the Republicans can do is try to bring the U.S. Government to a halt by forcing a reading of a 700-page amendment. That is an outrage. People can have honest disagreements, but in this moment of crisis it is wrong to bring the U.S. Government to a halt.

I am very disturbed that I am unable to bring the amendment that I wanted to bring to the floor of the Senate. I thank Senator REID for allowing me to try to bring it up before it was obstructed and delayed and prevented by the Republican leadership. My amendment, which was cosponsored by Senators SHERROD BROWN and ROLAND BURRIS, would have instituted a Medicare-for-all single-payer program. I was more than aware and very proud that, were it not for the Republican's obstructionist tactics, this would have been the first time in American history that a Medicare-for-all single-payer bill was brought to a vote before the floor of the Senate. I was more than aware that this amendment would not win. I knew that. But I am absolutely convinced that this legislation or legislation like it will eventually become the law of the land.

The reason for my optimism that a Medicare-for-all single-payer bill will eventually prevail is that this type of system is and will be the only mechanism we have to provide comprehensive high-quality health care to all of our people in a cost-effective way. It is the only approach that eliminates the hundreds of billions of dollars in waste, administrative costs, bureaucracy, and profiteering by the private insurance companies, and we are not going to provide comprehensive, universal, cost-effective health care to all of our people without eliminating that waste. That is the simple truth.

The day will come, although I recognize it is not today, when the Congress will have the courage to stand up to the private insurance companies and the drug companies and the medical equipment suppliers and all of those who profit and make billions of dollars every single year off of human sickness. On that day, when it comes—and it will come—the U.S. Congress will finally proclaim that health care is a right of all people and not just a privilege. And that day will come, as surely as I stand here today.

There are those who think that Medicare-for-all is some kind of a fringe idea—that there are just a few leftwing folks out there who think this is the way to go. But let me assure you that this is absolutely not the case. The single-payer concept has widespread support from diverse groups from diverse regions throughout the United States. In fact, in a 2007 AP/Yahoo poll, 65 percent of respondents said that the United States should adopt a universal health insurance program in which everyone is covered under a program like Medicare that is run by the Government and financed by taxpayers.

There is also widespread support for a Medicare-for-all approach among those people who understand this issue the most, and that is the medical community. That support goes well beyond the 17,000 doctors in the Physicians for National Health Care Program, who are fighting every day for a single-payer system. It goes beyond the California Nurses Association, the largest nurses union in the country, who are also fighting for a Medicare-for-all, single-payer health care. In March of 2008,

a survey of 2,000 American doctors published in the Annals of Internal Medicine concluded that 59 percent of physicians ''supported legislation to establish national health insurance.''

Madam President, you might be particularly interested to know that the New Hampshire Medical Society surveyed New Hampshire physicians and found that two-thirds of New Hampshire physicians, including 81 percent of primary care clinicians, indicated that they would favor a simplified payer system in which public funds, collected through taxes, were used to pay directly for services to meet the basic health care needs of all citizens. That is New Hampshire.

In 2007, Minnesota Medicine Magazine surveyed Minnesota physicians and found that 64 percent favored a single-payer system; 86 percent of physicians also agreed that it is the responsibility of society, through the Government, to ensure that everyone has access to good medical care.

But it is not just doctors, it is not just nurses, it is not just millions of ordinary Americans. What we are seeing now is that national, State, and local organizations representing a wide variety of interests and regions support single payer. These include the U.S. Conference of Mayors, the American Medical Students Association, the AFL/CIO, the United Church of Christ, the UAW, the International Association of Machinists, the United Steelworkers, the United Electrical Workers, the Older Women's League, and so many others that I do not have the time to list them.

I ask unanimous consent to insert a list in the RECORD of all the organizations representing millions and millions of Americans who are sick and tired of the current system and want to move toward a Medicare-for-all single-payer system.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ORGANIZATIONS SUPPORT SINGLE PAYER

American Federation of Musicians of the United States and Canada, American Medical Students Association, Americans for Democratic Action, American Patients United, All Unions Committee for Single Payer Health Care, Alliance for Democracy, Business Coalition for Single Payer Health Care, California Nurses Association/National Nurse Organizing Committee, Coalition of Black Trade Unionists, Coalition of Labor Union Women, Committee of Presidents, National Association of Letter Carriers, Committees of Correspondence, Earthly Energy Werx, Electrical Workers Minority Caucus, Fellowship of Reconciliation, Feminist Caucus of the American, Humanist Association, and Global Kids Inc.

Global Security Institute, Health Plan Navigator, Healthcare NOW!, Hip Hop Caucus, House of Peace, Institute for Policy Studies, Cities for Progress, Inter-religious Foundation for Community Organization, International Association of Machinists and Aerospace Workers, League of Independent Voters, National Association for the Advancement of Colored People, National Association of Letter Carriers, National Council on Healthcare for the Homeless, National Economic and Social Rights Initiative, National Education Association, National Organization of Women, National Student Nurses Association, Needed Now, and Older Women's League.

PACE International Union, Peoples' Health Movement—US Circle, Physicians for a National Health Program, Progressive Christians Uniting, Progressive Democrats of America, The United Church of Christ, United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of the United States & Canada, United Automobile Workers, United Automobile Workers, International Union Convention, United Electric Workers, United Federation of Teachers, United Methodist Global Board of Church and Society, United Steelworkers of America, Up for Democracy, Women's Division of The United Methodist Church, Women's Universal Health Initiative, and Young Democrats.

STATE ORGANIZATIONS SUPPORT SINGLE PAYER

1199SEIU United Healthcare Workers East, MD, DC, NY, MA; 1199SEIU Retired Division of New York; American Guild of Musical Artists: Chicago/Midwest Region; American Postal Workers Union (APWU), Michigan State; Arizona AFL–CIO; Arkansas AFL-CIO; California State Pipe Trades Council, United Association; California School Employees Association; Connecticut State Council of Machinists of the IAMAW; Connecticut Medicare for All; Delaware State AFL–CIO; Florida CHAIN; Florida State AFL–CIO; Florida State Alliance for Retired Americans; Health Action New Mexico; Health Care for All California; Health Care for All Colorado; Health Care for All New Jersey; Health Care for All Texas; Health Care for All Washington; Hoosiers for a Common Sense Health Plan; and Iowa Federation of Labor; AFL–CIO.

Kentucky House of Representatives; Kentucky Jobs with Justice; Kentucky State AFL–CIO; Maine Council of United Steelworkers; Maine State AFL–CIO; Maine State Building & Construction Trades Council; Maryland State and District of Columbia AFL–CIO; Massachusetts Nurses Association; Massachusetts State United Auto Workers; Michigan State AFL–CIO Women's Council; Michigan State Association of Letter Carriers; Minnesota DFL Progressive Caucus; Minnesota State AFL–CIO; Missouri State AFL–CIO; New Jersey Media Corps; New Jersey State Industrial Union Council; New York Professional Nurses Union; New York State Nurses Association; North Carolina Fair Share; North Carolina State AFL–CIO; North Dakota State AFL–CIO; Ohio Alliance for Retired Americans.

Ohio State AFL–CIO; Ohio Steelworkers Organization of Active Retirees; Oregon United Methodist Church; Pennsylvania Association of Staff Nurses and Allied Professionals; Pennsylvania State AFL–CIO; SCFL of Wisconsin; SEIU—United Healthcare Workers West; South Carolina State AFL–CIO; South Dakota AFL–CIO; Texas AFL–CIO; Texas Alliance for Retired Americans; Texas Building & Construction Trades Council; The Tennessee Tribune Newspaper; Utah Jobs with Justice; Vermont State Labor Council AFLCIO; Washington State Alliance for Retired Americans; Washington State Building and Construction Trades Council; Washington State Labor Council; West Virginia State AFL–CIO; Wisconsin Clean Elections Campaign; Wisconsin State AFL–CIO; Wyoming State AFL-CIO.

Mr. SANDERS. There is also significant support in the House of Representatives for a single-payer system. Together, H.R. 676 and H.R. 1200, two different single-payer proposals, have 94 cosponsors.

And let me say a word about State legislatures that have moved forward aggressively toward a single-payer system. In California, our largest State, the State legislature there has on two occasions passed a single-payer program. The largest State in America passed a single-payer program, and on both occasions it was vetoed by the Governor. In New York State, the State Assembly passed a single-payer system. Among other States where single payer has been proposed and seriously discussed are Ohio, Massachusetts, Georgia, Colorado, Maine, Vermont, Illinois, Wisconsin, Oregon, Washington, New Mexico, Minnesota, Indiana, and New Hampshire.

Why is it that we need an entirely new approach for health care in this country? The answer is pretty obvious. Our current system, dominated by profit-making insurance companies, simply does not work. Yes, we have to confess, it does work for the insurance companies that make huge profits and provide their CEOs with extravagant compensation packages. Yes, it does work—and we saw how well it worked right here on the floor yesterday—for the pharmaceutical industry which year after year leads almost every other industry in profit while charging the American people by far—not even close—the highest prices in the world for prescription drugs.

So it works for the insurance companies. It works for the drug companies. It works for the medical equipment suppliers and the many other companies who are making billions of dollars off of our health care system. But it is not working for—in fact, it is a disaster for—ordinary Americans.

Today, 46 million people in our country have no health insurance and an even higher number of people are underinsured, with high deductibles or copayments. Today, as our primary health care system collapses, tens of millions of Americans do not have access to a doctor on a regular basis and, tragically, some 45,000 of our fellow Americans who do not have access to a doctor on a regular basis die every single year. That is 15 times more Americans who die of preventable diseases than were murdered in the horrific 9/11 attack against our country. That takes place every year: the preventable deaths of 45,000 people.

This is not acceptable. These horrific deaths are a manifestation of a collapsing system that needs fundamental change.

A number of months ago I took to the floor to relate stories that I heard from people throughout the State of Vermont regarding the health care crisis, stories which I published in a small pamphlet and placed on my Web site. Let me tell you one story.

A man from Swanton, VT, in the northern part of our State, wrote to me to tell me the story of his younger brother, a Vietnam veteran, who died 3

weeks after being diagnosed with colon cancer. At the time he was diagnosed, he had been laid off from his job and could not afford COBRA coverage. This is what his brother said:

> When he was in enough pain to see a doctor it was too late. He left a wife and two teenage sons in the prime of his life at 50 years old. The attending physician said that, if he had only sought treatment earlier, he would still be alive.

Horrifically, tragically, that same story is being told in every State in this country over and over again. If only he had gone to the doctor in time he could have lived, but he didn't have any health insurance. That should not be taking place in the United States of America in the year 2009.

Our health care disaster extends beyond even the thousands who die needlessly every single year. Many others suffer unnecessary disability—strokes that leave them paralyzed because they couldn't afford treatment for their high blood pressure, or amputations, blindness, or kidney failure from untreated diabetes. Infants are born disabled because their mothers couldn't get the kind of prenatal care that every mother should have, and millions with mental illness go without care every single day.

In a town in northern Vermont not far from where I live, a physician told me that one-third of the patients she treats are unable to pay for the prescription drugs she prescribes. Think about the insanity of that. We ask doctors to diagnose our illness, to help us out, she writes the prescription for the drug, and one-third of her patients cannot afford to fill that prescription. That is insane. That is a crumbling health care system. The reason people cannot afford to fill their prescription drugs is that our people, because of pharmaceutical industry greed, are forced to pay by far the highest prices in the world for prescription drugs. This is indefensible. There is nobody who can come to the floor of this Senate and tell me that makes one shred of sense.

The disintegration of our health care system causes not only unnecessary human pain, suffering, and death, but it is also an economic disaster. Talk to small businesses in Vermont, New Hampshire, any place in this country, and they tell you they cannot afford to invest in their companies and create new jobs because all of their profits are going to soaring health care costs—10, 15, 20 percent a year. Talk to the recently bankrupt General Motors and they will tell you that they spend more money per automobile on health care than they do on steel. GM is forced to pay $1,500 per car on health care while Mercedes in Germany spends $419, and Toyota in Japan spends $97. Try to compete against that.

From an individual economic perspective, it is literally beyond comprehension that of the nearly 1 million people who will file for bankruptcy this year, the vast majority are filing for bankruptcy because of medically related illnesses. Let's take a deep breath and think about this from an emotional point of view. Let's think about the millions of people who are today struggling with cancer, struggling with heart disease, struggling with diabetes or other chronic illnesses. They are not even able to focus on their disease and trying to get well. They are summoning half their energy to fight with the insurance companies to make sure they get the coverage they need. That is not civilized. That is not worthy of the United States of America.

In my State of Vermont—and I suspect it is similar in New Hampshire and every other State—I have many times walked into small mom-and-pop stores and seen those little donation jars that say: Help out this or that family because the breadwinner is struggling with cancer and does not have any health insurance or little Sally needs some kind of operation and she doesn't have any health insurance, put in a buck or five bucks to help that family get the health care they need. This is the United States of America. This should and cannot be allowed to continue.

One of the unfortunate things that has occurred during the entire health care debate is that we have largely ignored what is happening in terms of health care around the rest of the world. I have heard some of my Republican colleagues get up and say: We have the best health care system in the world. Yes, we do, if you are a millionaire or a billionaire, but we do not if you are in the middle class, not if you are a working-class person, certainly not if you are low income. It is just not true.

Today, the United States spends almost twice as much per person on health care as any other country. Despite that, we have 46 million uninsured and many more underinsured and our health care outcomes are, in many respects—not all but in many respects—worse than other countries. Other countries, for example, have longer life expectancies than we do. They are better on infant mortality, and they do a lot better job in terms of preventable deaths. At the very beginning of this debate, we should have asked a very simple question: Why is it we are spending almost twice as much per person on health care as any other country with outcomes that, in many respects, are not as good?

According to an OECD report in 2007, the United States spent $7,290, over $7,000 per person on health care. Canada spent $3,895, almost half what we spent. France spent $3,601, less than half what we spent. The United Kingdom spent less than $3,000, and Italy spent $2,600 compared to the more than $7,000 we spent. Don't you think that maybe the first question we might have asked is: Why is it we spend so much and yet our health care outcomes, in many respects, are worse than other countries? Why is it that that happens?

Let me tell you what other people will not tell you. One key issue that needed to be debated in this health care discussion has not been discussed. The simple reason as to why we spend so much more than any other country with outcomes that are not as good as many other countries is that this legislation, from the very beginning, started with the assumption that we need to maintain the private for-profit health insurance companies. That basic reality that we cannot touch private insurance companies, in fact that we have to dump millions more people into private health insurance companies, that was an issue that could not even be discussed. And as a result, despite all the money we spend, we get poor value for our investment.

According to the World Health Organization, the United States ranks 37th in terms of health system performance compared with five other countries: Australia, Canada, Germany, New Zealand, and the United Kingdom. The U.S. health system ranks less or less than half.

Sometimes these groups poll people. They go around the world and they poll people and they ask: How do you feel about your own health care system? We end up way down below other countries. Recently, while the Canadian health care system was being attacked every single day, they did a poll in Canada. They said to the Canadian people: What do you think about your health care system? People in America say you have a terrible system. Do you want to junk your system and adopt the American system? By overwhelming numbers, the people of Canada said: Thank you, no thank you. We know the American system. We will stay with our system.

I was in the United Kingdom a couple months ago. I had an interesting experience. It was a Parliamentarian meeting. I met with a number of people in the Conservative Party—not the liberal Democratic Party, not the Labour Party, the Conservative Party, the party which likely will become the government of that country. The Conservatives were outraged by the kind of attacks being leveled against the national health system in their country, the lies we are being told about their system. In fact, the leader of the Conservative Party got up to defend the national health system in the United Kingdom and said: If we come to power, we will defend the national health system. Those were the conservatives.

What is the problem with our system which makes it radically different than systems in any other industrialized country? It is that we have allowed for-profit private corporations to develop and run our health care system, and the system that these companies have developed is the most costly, wasteful, complicated, and bureaucratic in the entire world. Everybody knows that. With 1,300 private insurance companies and thousands and thousands of different health benefit programs all designed to maximize profits, private

health insurance companies spend an incredible 30 percent of every health care dollar on administration and billing, on exorbitant CEO compensation packages, on advertising, lobbying, and campaign contributions. This amounts to some $350 billion every single year that is not spent on health care but is spent on wasteful bureaucracy.

It is spent on bureaucrats and on an insurance company telling us why we can't get the insurance we pay for. How many people today are on the phone today arguing with those bureaucrats to try to get the benefits they paid for? It is spent on staff in a physician's office who spend all their time submitting claims. They are not treating people; they are submitting claims. It is spent on hundreds of people working in the basement of hospitals who are not delivering babies, not treating people with cancer. They are not making people well. They are sending out bills. That is the system we have decided to have. We send out bills, and we spend hundreds of billions of dollars doing that rather than bringing primary health care physicians into rural areas, rather than getting the doctors, dentists, and nurses we need.

Let me give a few outrageous examples. Everyone knows this country is in the midst of a major crisis in primary health care. We lack doctors. We lack nurses. We lack dentists—a major crisis getting worse every single day. Yet while we are unable to produce those desperately needed doctors and nurses and dentists, we are producing legions of insurance company bureaucrats.

Here is a chart which deals with that issue. What this chart shows is that over the last three decades, the number of administrative personnel, bureaucrats who do nothing to cure our illnesses or keep us well, the number of bureaucrats has grown by 25 times the number of physicians. This is growth in the number of doctors—nonexistent. This is growth in the number of health care bureaucrats on the phone today telling you why you can't get the health care coverage you paid for or telling you that you have a preexisting condition and throwing you off health care because you committed the crime last year of getting sick. That growth is through the roof. This is where our health care dollars are going. This is why we need a single-payer system.

According to Dr. Uwe Reinhardt in testimony before Congress, Duke University Hospital, a very fine hospital, has almost 900 billing clerks to deal with hundreds of distinct managed care contracts. Do you know how many beds they have in that hospital? They have 900 beds. They have 900 bureaucrats involved in billing for 900 beds. Tell me that makes sense.

At a time when the middle class is collapsing and when millions of Americans are unable to afford health insurance, the profits of health insurance companies are soaring. From 2003 to 2007, the combined profits of the Nation's major health insurance companies increased by 170 percent. While more and more Americans are losing their jobs, the top executives of the industry are receiving lavish compensation packages. In 2007, despite plans to cut 3 to 4 percent of its workforce, Johnson & Johnson found the cash to pay its CEO Weldon $31.4 million. Ron Williams of Aetna took home over $38 million, and the head of CIGNA, Edward Hanway, took away $120 million over 5 years on, and on and on it goes.

So what is the alternative? Let me briefly describe the main features of a Medicare-for-all single-payer system. In terms of access, people getting into health care, this legislation would provide for all necessary medical care without cost sharing or other barriers to treatment. Every American—not 94 percent but 100 percent of America's citizens—would be entitled to care. In terms of choice, the issue is not choice of insurance companies that our Republican friends talk about. The question is choice of doctors, choice of hospitals, choice of therapeutic treatments. Our single-payer legislation would provide full choice of physicians and other licensed providers and hospitals. Importantly—and I know there is some confusion—a single-payer program is a national health insurance program which utilizes a nonprofit, private delivery system. It is not a government-run health care system. It is a government-run insurance program. In other words, people would still be going to the same doctors, still going to the same hospitals and other medical providers.

The only difference is, instead of thousands of separately administered programs run with outrageous waste, there would be one health insurance program in America for Members of Congress, for the poorest people in our country, for all of us. In that process, we would save hundreds of billions of dollars in bureaucratic waste. In terms of benefits, what would you get? A single-payer program covers all medically necessary care, including primary care, emergency care, hospital services, mental health services, prescriptions, eye care, dental care, rehabilitation services, and nursing home care as well. In terms of medical decisions, those decisions under a single-payer program would be made by the doctors and the patients, not by bureaucrats in insurance companies.

If we move toward a single-payer program, we could save $350 billion a year in administrative simplification, bulk purchasing, improved access with greater use of preventative services, and earlier diagnosis of illness.

People will be able to get to the doctor when they need to rather than waiting until they are sick and ending up in a hospital.

Further, and importantly, like other countries with a national health care program, we would be able to negotiate drug prices with the pharmaceutical industry, and we would end the absurdity of Americans being forced to pay two, three, five times more for certain drugs than people around the rest of the world.

Every other industrialized country on Earth primarily funds health care from broad-based taxes in the same way we fund the Defense Department, Social Security, and other agencies of government, and that is how we would fund a national health care program.

Let me be specific about how we would pay for this. What this legislation would do is, No. 1, eliminate—underline ''eliminate''—all payments to private insurance companies. So people would not be paying premiums to UnitedHealth, WellPoint, Blue Cross Blue Shield, and other private industry companies—not one penny. The reason for that is that private for-profit health insurance companies in this country would no longer exist.

Instead, this legislation would maintain all of the tax revenue that currently flows into public health programs like Medicare, Medicaid, and CHIP, and it would add to that an income tax increase of 2.2 percent and a payroll tax of 8.7 percent. This payroll tax would replace all other employer expenses for employee health care. In other words, employers in this country, from General Motors to a mom-and-pop store in rural America, would no longer be paying one penny toward private insurance revenue.

The income tax would take the place of all current insurance premiums, copays, deductibles, and all other out-of-pocket payments made by individuals. For the vast majority of people, a 2.2-percent income tax is way less than what they now pay for all of those other things. In other words, yes, you would be paying more in taxes. That is true. But you would no longer have to pay for private health insurance, and, at the end of the day, from both a financial perspective and a health security perspective, we would be better off as individuals and as a nation.

What remains in existence—I should add here—is the Veterans' Administration. I believe, and most of us believe, they have a separate set of issues, and the VA would remain as it is.

Let me bring my remarks to a close by giving you an example of where I think we should be going as a country in terms of health care. Oddly enough, the process that I think we should be using is what a small country of 23 million people—the country of Taiwan—did in 1995. In 1995, Taiwan was where we are right now—massive dissatisfaction with a dysfunctional health care system—and they did what we did not do. They said: Let's put together the best commission we can, the smartest people we know. Let's go all over the world. Let's take the best ideas from countries all over the world.

As Dr. Michael Chen, vice president and CFO of Taiwan's National Health Insurance Bureau, explained in an interview earlier this year, the Taiwanese ultimately chose to model their system—after a worldwide search—on

our Medicare Program. That is where they went, except that they chose to insure the entire population rather than just the elderly. After searching the globe, the Taiwanese realized what many Americans already know: a Medicare-for-all, single-payer system is the most effective way to offer quality coverage at a reasonable price.

Taiwan now offers comprehensive health care to all of its people, and it is spending 6 percent of its GDP to do that while we spend 16 percent of our GDP. But, unfortunately, the single-payer model was not ever put on the table here. Maybe we should learn something from our friends in Taiwan.

Let me end by saying this: This country is in the midst of a horrendous health care crisis. We all know that. We can tinker with the system. We can come up with a 2,000-page bill which does this, that, and the other thing. But at the end of the day, if we are going to do what virtually every other country on Earth does—provide comprehensive, universal health care in a cost-effective way, one that does not bankrupt our government or bankrupt individuals—if we are going to do that, we are going to have to take on the private insurance companies and tell them very clearly that they are no longer needed. Thanks for your service. We don't need you anymore.

A Medicare-for-all program is the way to go. I know it is not going to pass today. I know we do not have the votes. I know the insurance company and the drug lobbyists will fight us to the death. But, mark my words, Madam President, the day will come when this country will do the right thing. On that day, we will pass a Medicare-for-all single-payer system.

Mr. LUGAR. Mr. President, I take this opportunity to share with my colleagues a statement I have prepared regarding the health care reform debate in which the Senate is currently engaged.

A majority of the Members of Congress share President Obama's humane goal that millions more Americans might enjoy health insurance coverage and that medical care to all Americans might be substantially improved. For the moment, however, President Obama and the Congress must recognize that the overwhelming demand of most Americans is that presidential and congressional leadership should focus each day on restoration of jobs, strengthening of housing opportunities, new growth in small business and large industries, and banks that are not only solvent but confident of normal lending. In essence, the task facing national leadership is truly monumental. A national and international recession has not ended and many economists predict that unemployment, which has exceeded 10 percent in the United States, will continue to grow in coming months.

The President and the current Congress have realized a final deficit for fiscal year 2009 of $1.4 trillion, with the total national debt now at $12 trillion. The appropriation bills that Congress has passed and that will make up the next fiscal year's expenditures are predicted to result in another annual deficit of more than $1 trillion. In fiscal year 2009, Medicaid spending increased by 24.6 percent to $251 billion. Spending on Food Stamps increased 41 percent to $56 billion. Unemployment benefits increased almost 155 percent to $120 billion.

Republicans and Democrats may feel that passing comprehensive health legislation before the end of the year is crucial to the success or failure of the Obama administration and/or party leadership in the Congress.

But I would suggest that successful leadership will be defined, now and historically, by success in bringing a horrendous economic recession to an end, bringing new strength to our economy, and providing vital leadership in international relations as we hope to bring conflicts under control and in some cases, to conclusion.

I appreciate that President Obama has strongly argued that comprehensive health care legislation is an important component to reducing federal deficit spending. He has contended that failure to pass this legislation will increase deficits now and for many years to come. I disagree with the President.

After the economic recession in our country comes to a conclusion, a high priority may be extension of health insurance coverage and reform of many health care practices. When such changes occur, they are likely to be expensive and Americans will need to debate, even then, their priority in comparison to many other national goals. One reason why health care is likely to remain expensive is that major advances in surgical procedures, prescription drugs, and other health care practices have prolonged the lives of tens of millions of Americans and improved the quality of those additional years. The Washington Post, in a front-page story on July 26, 2009, mentioned that ''the fight against heart disease has been slow and incremental. It's also been extremely expensive and wildly successful.'' Americans should not take for granted all of the advances in health care that have enriched our lives, but we sometimes forget that we require and even pray for much more medical progress in years to come, which is likely to be expensive.

In order to pay for the cost of the nearly $1 trillion health care legislation, several Members of Congress are suggesting new forms of taxation, reduction of payments to doctors and hospitals, and curtailment of certain types of insurance coverage. These and other suggestions may temporarily bring about cost reduction but will also have some after-effects in the overall economy. In fact, strong financial incentives may be needed to enlist men and women to enter the medical field. Failure to enlist a sufficient number of doctors could lead to rationing of service and longer lines to find someone who will give humane attention.

In the meanwhile, it is possible that the President and Members of Congress might find some inexpensive, incremental improvements that could result in a greater number of Americans being served through health insurance and more efficiently operating health care institutions. The strong desire that most of us have to continue discussing these issues and make improvements need not be postponed even as President Obama and the Congress strive for victory over a devastating national economic recession.

Because our Federal spending deficits have risen so much and are predicted to rise even more, all substantive discussions on health care and other important issues will be conducted during many years of planning and, finally, decisive action to reduce deficit spending and preserve the value and integrity of the dollar as we continue to borrow hundreds of billions of dollars in the form of U.S. Treasury bonds sold to governments and citizens of other countries. They, too, are counting on the integrity of our dollar and our financial system to preserve the value of their financial reserves.

Starting with President Obama and extending to all Members of Congress, we wish that we had inherited a neutral, peaceful playing field. We have not been so fortunate. Our responsibility now is to recognize the extraordinary financial tragedy that has befallen our country and to recognize the unprecedented opportunity that we have to stop the momentum of that tragedy. We must provide valid hope of constructive vision, idealism, and change in the future. I look forward to working with the President and my colleagues to tackle first things first.

Ms. COLLINS. Madam President, I rise today to speak in favor of the motion to commit offered by Senators HUTCHISON and THUNE.

The Hutchison-Thune motion to commit would send the health care bill to the Senate Finance Committee with instructions to revise the bill in a revenue-neutral manner, to prevent taxes in the bill from going into effect before the exchanges are set up in 2014.

The bill makes Americans wait until 2014 to get insurance through the new ''exchanges,'' but it rolls out new tax hikes starting right away. Unless we take action to change this, Americans will see 4 years of tax increases before the chief benefits of this bill become available.

In the 4 years between now and the time the exchanges come online, Americans will face at least a dozen new or increased taxes and fees costing $73 billion.

Some of these taxes start in 2 weeks. For example, a new tax on pharmaceutical manufacturers, which will raise an average of $2.2 billion per year; a new tax on health insurance providers, which will raise $6.7 billion per

year; a new tax on medical device manufacturers, which will raise $2 billion per year.

Other taxes kick in 1 year from now. These include an increased penalty on withdrawals from Health Savings Accounts and a new $2,500 cap on FLEX spending accounts.

These new limits and penalties make no sense to me. Why would we want to impose a penalty on Americans who use money from their FLEX spending accounts to buy over-the-counter medicine? How is that going to help make health care more affordable?

But that is not all the bill does with respect to taxes. In 2013, the bill imposes several more taxes, including a reduction in the tax deductibility of medical expenses, a new high cost insurance excise Tax—the so-called Cadillac tax, and an increase in the Medicare payroll tax for high earners.

These tax increases total $73 billion before 2014, before anyone gets a dollar of subsidy to purchase health insurance in the new exchanges.

These taxes will be paid right away by Americans in the form of higher health insurance premiums. This is not just my opinion; this is what the Congressional Budget concludes too. Here is what the CBO said about the $6.7 billion annual fee on health insurance providers, which is scheduled to begin next year:

> We expect a very large portion of [the] proposed insurance industry fee to be borne by purchasers of insurance in the form of higher premiums.

It is not just taxes on insurance that will be passed on to consumers. Taxes on pharmaceutical manufacturers and medical devices makers will also be passed on.

This means that American consumers will see price increases for everything from insulin pumps, to pacemakers, to power wheelchairs and drugs like Prilosec.

As the CBO Director has said:

> Those fees would increase costs for the affected firms, which would be passed on to purchasers and would ultimately raise insurance premiums by a corresponding amount.

The Joint Committee on Taxation shares the CBO's view these tax hikes will be passed along to consumers.

Once again, I do not see how imposing these new taxes now—before the exchanges are set up and the chief benefits of the bill are supposed to become available—makes health care more affordable.

For all of these reasons, I will be voting in favor of the Hutchison-Thune motion to recommit, and I would urge my colleagues to do the same.

MOTION TO COMMIT

Mr. SANDERS. Madam President, I now move to table Senator HUTCHISON's motion to commit, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 41, as follows:

[Rollcall Vote No. 379 Leg.]

YEAS—56

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown	Kirk	Sanders
Burris	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Specter
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Conrad	Levin	Udall (CO)
Dodd	Lieberman	Udall (NM)
Dorgan	Lincoln	Warner
Durbin	McCaskill	Webb
Feingold	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	

NAYS—41

Alexander	Crapo	McCain
Barrasso	DeMint	McConnell
Bayh	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Bond	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Gregg	Sessions
Burr	Hatch	Shelby
Chambliss	Hutchison	Snowe
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Collins	Kyl	Voinovich
Corker	LeMieux	Wicker
Cornyn	Lugar	

NOT VOTING—3

Byrd	Inhofe	Kerry

The motion was agreed to.

Mr. REID. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Mr. KERRY. Madam President, I was necessarily absent for the vote on the motion to table the Hutchison motion to commit to the health care bill, H.R. 3590. If I were able to attend today's session, I would have voted to table the Hutchison motion to commit.●

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

Mr. REID. Madam President, I ask the Chair to lay before the Senate a message from the House with respect to H.R. 3326, the Department of Defense Appropriations Act.

The PRESIDING OFFICER. The Chair lays before the Senate the message from the House.

H.R. 3326

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 3326) entitled ''An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes'', with a House amendment to Senate Amendment.

CLOTURE MOTION

Mr. REID. Madam President, I move to concur in the House amendment, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3326, the Department of Defense Appropriations Act for Fiscal Year 2010.

Daniel K. Inouye, Harry Reid, Max Baucus, Patrick J. Leahy, Sheldon Whitehouse, Carl Levin, Patty Murray, Mark Begich, Maria Cantwell, Mark L. Pryor, Jack Reed, Edward E. Kaufman, Al Franken, Tom Harkin, Jim Webb, Paul G. Kirk, Jr., Michael F. Bennet.

AMENDMENT NO. 3248

Mr. REID. Madam President, I move to concur in the House amendment with an amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada (Mr. REID) moves to concur in the House amendment to the Senate amendment with an amendment numbered 3248.

Mr. REID. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the House amendment, insert the following:

The provisions of this Act shall become effective 5 days after enactment.

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3252 TO AMENDMENT NO. 3248

Mr. REID. Madam President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The Senator from Nevada (Mr. REID) proposes an amendment numbered 3252 to amendment No. 3248.

Mr. REID. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike ''5 days'' and insert ''1 day''.

MOTION TO REFER/AMENDMENT NO. 3249

Mr. REID. Madam President, I have a motion to refer, with instructions, at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada (Mr. REID) moves to refer H.R. 3326 to the Committee on Appropriations with instructions to report back with the following amendment No. 3249:

At the end, insert the following:

The Appropriations Committee is requested to study the impact of any delay in implementing the provisions of the Act on service members' families.

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3250

Mr. REID. Madam President, I have an amendment to my instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada (Mr. REID) proposes an amendment numbered 3250 to the instructions of amendment No. 3249.

Mr. REID. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, add the following:

''and the health care provided to those service members.''

Mr. REID. Madam President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3251 TO AMENDMENT NO. 3250

Mr. REID. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada (Mr. REID) proposes an amendment numbered 3251 to amendment 3250.

Mr. REID. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, add the following:

''and the children of service members.''

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. ENSIGN. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue calling the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. It is my understanding that the Senator from Texas wishes to speak for up to 5 minutes. I ask unanimous consent that she be recognized, and following that Senator DURBIN be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas is recognized.

Mrs. HUTCHISON. Madam President, I thank the majority leader for allowing me to speak because I am very concerned about a precedent that has been set on the floor in this last vote.

When the Senator from Vermont withdrew his amendment and started talking, my motion to commit was the measure pending on the floor. I did not have notice—which is the normal procedure here—to be able to talk on my motion. We had no idea there would be a motion to table my motion before I had a chance to close.

Here is my point. The measure that was tabled, the Hutchison-Thune motion, would have assured the American people that there would not be 4 years of tax collection before any kind of program would be put forward under the health care reform package. I thought it was very important that Senator THUNE and I be able to close on that. That is a concept we have always had in the Senate—that a program starts when it starts. That means if taxes are included, the taxes will start when the program starts. That is not the case in the underlying bill. The underlying health care reform bill has 4 years of taxes. There will be taxes on insurance companies that will surely raise the premium of every insurance policy in America. There are taxes on prescription drug companies, so that prescription drug prices will surely go up. There are taxes on medical device companies, so the prices on health care equipment will also go up. How much are we talking about? We are talking about $100 billion in taxes that will start in 3 weeks—in January of 2010. Again, we are looking at taxes that will start in 3 weeks, next month, which will accumulate up to $73 billion before a program is implemented that will give anyone a choice of an affordable health care option.

That is the motion that was tabled 10 minutes ago. I want to make sure everyone knows I never had a chance to close on the motion. Senator THUNE didn't have a chance to close, because it was a motion made that could not be objected to. That is not the way things have operated here in the past, and I think it is time we bring back the traditions of the Senate, where we have time that we agree to, everybody has their say, and then we go forward.

I am very concerned about that process. I hope it is not setting precedent because I think we can resurrect health care reform if we have a bipartisan health care effort. If we have an effort that will bring down the costs, that will increase the risk pools so that an employer will be able to afford to offer employees health care coverage, bring down the costs of health care with medical malpractice reform that would save $54 billion in the system, we can do things without a government takeover of health care. But the bill that is before us has $½ trillion in Medicare cuts—Medicare cuts, $½ trillion—and $½ trillion in new taxes—taxes on businesses that offer not enough coverage, businesses that offer too much coverage, a 40-percent excise tax on policies that give what is called Cadillac coverage, the high benefit plans. So if you have a good insurance policy, you have a 40-percent tax on top of the premium you pay. And if you have too little coverage, you also get taxed. You are whipsawed in this bill.

I think the small business people of this country know what this bill is about because that is the comment we are getting. They are the people calling into our offices. They are the people I see on the airplanes as I go back and forth to try to make sure we are covering the bases on this bill and trying to let the American people know what is in it.

I am concerned about the precedent that was set, but more than that, I am concerned that the American people must know that if this bill passes as it is on the floor today, the taxes will take effect in 3 weeks, that insurance premiums will surely go up, prescription drugs will surely go up, prices on medical equipment will surely go up, and there will not be an affordable insurance plan for people to choose to take for 4 years. It is like buying a house and having the mortgage company hand you the keys and say: Come back in 4 years, and we will let you unlock the door.

I don't think that is transparency, and it is certainly not health care reform. I hope there is still a chance that we can bring this body to a bipartisan effort that will allow lower premiums, more health care options for the people of this country but, most important, that will keep the quality of health care, the choices we have in health care that Americans have come to expect and not start going on the road to a single-payer system because in the end, that is what the bill before us will lead to. It will be a single-payer system. It will take choices out. It will take quality out.

It will add taxes and burdens on our small businesses at a time when they need to be able to hire people to get our economy going and to get that jobless rate down. We need them to employ people. We need to encourage our employers to employ people. They cannot do it if we put more taxes and burdens on them, which is what the bill before us does.

I thank the majority leader for allowing me to speak since I did not have a chance to speak before my motion was tabled. I hope the American people

are listening because we have a chance to do this right. The bill on the floor today is not that bill.

I yield the floor.

The PRESIDING OFFICER (Mr. BURRIS). The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I thank the Senator from Texas. I am glad she had an opportunity to speak. We disagree on this issue, but I am glad she had her opportunity to speak.

I hear from different people. Obviously, we must ride on different planes because the people I speak with are anxious to see some change in this health care system and know that 14,000 Americans lose their health insurance every single day. They know that most people cannot afford health insurance because of the increase in costs.

I say to the Senator from Texas, she is my friend and we have worked on many issues in the past, but we disagree on this issue.

I am coming before the Senate with a holiday proposal. Recently there was a book that was published about World War I. It was about trench warfare that went on and on with horrendous casualties and lives being lost. Then there came a moment, a Christmas moment, when they decided to call a truce because of Christmas and play a soccer game. The Allied and Axis troops came out and, for a brief moment, stopped the war, played the soccer game, and went back to the trenches and the next day started shooting again.

I am looking for a holiday truce here for our troops because what we have before us right now is the Department of Defense appropriations bill. Although Senator HUTCHISON and I clearly disagree and many Members on both sides clearly disagree when it comes to health care, there is no disagreement when it comes to our troops. Every one of us supports our troops. Every one of us wants to make sure they have what they need, the resources they need to perform their mission successfully and come home safely.

This bill that is before us, this Department of Defense appropriations conference report, is an attempt for us to do something to help these troops in time of war. I would hope I could appeal to my colleagues on the other side of the aisle that for one brief, shining moment in the spirit of the holiday we set aside our political differences for the sake of our men and women in uniform.

The point I am getting to is that if we go through the ordinary, tortured procedure and wait, it is going to take us days to complete this bill for our troops. I hope we can show good faith on both sides of the aisle and overcome that. I hope we could enter into a consent agreement among Republicans and Democrats because I know as I stand here that the Republicans feel as the Democrats do—that we should provide funding for our overseas operations of our men and women in uniform.

In this bill, $101 billion is included for operations and maintenance for ongoing military operations in Iraq and Afghanistan and to support the preparations to continue the withdrawal from Iraq.

In this bill, there is $23.36 billion for equipment. We want to make sure our men and women in uniform have the equipment they need to make certain they are safe and have what they need to come home safely.

There is also a pay raise in this bill, a 3.4-percent pay raise. Does anyone dispute the need that our military has to be recognized for what they have given our country and be given a pay raise?

When it comes to readiness and training, there is $154 billion for the defense operation and maintenance account to increase readiness.

In the field of military health care, there is $29 billion for the Defense Health Program to provide quality care for servicemembers and their families. It includes, incidentally, $120 million for traumatic brain injury and psychological health research.

These are issues we have all come together on. We are not arguing about these issues, and I do not think we should at this moment.

There is $472 million for family advocacy programs and full funding for Family Support and Yellow Ribbon to provide support to military families, including quality childcare, job training for spouses, and expanded counseling and outreach.

There is one other section of the bill—and I will yield for a question from my friend from Alaska when I complete this point—there is one other section that relates to the unemployment crisis facing this country. It is a modest extension of the unemployment benefits. The last time it was on the floor, I believe it passed 97 to 0. I do not believe there is any controversy to the fact that we want to extend unemployment insurance benefits through February 28 of next year. It is difficult to envision a situation where we would actually leave here to go home to our families for the holidays and not take care of the unemployed.

There is also a provision for their health insurance under COBRA and for food stamps on which we know so many unemployed families rely. It seems to me if there is one thing in the midst of this political turmoil we can agree on, it is let's stand behind our troops, let's make sure people who are unemployed have a happy holiday season. Why do we want a tortured process to reach a ''yes'' on this conference report? I appeal to my colleagues on the other side of the aisle to make this a bipartisan effort. Let's do this part. We can return to the health care bill and the debate. But let's get this done and do it without all the necessary motions and time that may be spent.

I yield for a question from the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. BEGICH. Mr. President, I appreciate the Senator from Illinois bringing up what I consider a very most important piece of legislation to Alaska. Eleven percent of our population are veterans. We have thousands of military individuals in our State.

I am new to the process. One of the questions I have for the Senator—and I hope he can enlighten me and also enlighten the whole public watching—this is probably one of the most important departments at this time. We are in two wars. Can the Senator give me an explanation? In the past—Senator DURBIN started to do it—the Defense bill seemed to be one of those bills where we all came together. It is a bipartisan approach. I know as members of the Armed Services Committee, it seems every time we deal with these issues we are unified.

Help me to understand why this is something that seems to be controversial and yet should be so simple for us to do.

Mr. DURBIN. I say in response to the Senator from Alaska, I think it is the moment. If we were in a different political environment, I think the Republican Senators and Democratic Senators would agree that this should go through and go through quickly. But we have been caught up for weeks now in debate and controversy, and this bill has been tossed into that environment. That is the explanation because I do not think there is a single provision I read here that Republican Senators do not support, as the Democratic Senators support. That is why I made my suggestion.

Mr. BEGICH. Mr. President, if I may ask one more question. That last statement the Senator from Illinois made, I know as a member of the Armed Services Committee, I have not heard complaints about this bill from anyone from the other side. I am asking, from a leadership position, have we heard any complaints on this legislation? Is it just that, it is the moment in time?

Mr. DURBIN. I say in response to the Senator from Alaska, it does include some provisions relative to the unemployed. There were other things that could have been included by the House, but we reached out to the Republican side and asked: Are any of these problematic? By and large, they said here are the things you should not include, and we did not. We did our best to ensure we brought a noncontroversial bill for consideration.

Mr. BEGICH. I thank the Senator.

Ms. STABENOW. Will the Senator yield for a question?

Mr. DURBIN. I am happy to yield to the Senator from Michigan.

Ms. STABENOW. Mr. President, from the Senator's explanation and from what we have been working on, I want the Senator to clarify two things.

First of all, we could do this conference report today if there were a willingness and, secondly, we have a pay raise for our troops that is coming right before Christmas, the holidays,

help for families, help for those who have lost their jobs and are trying to figure out how they keep their health care going, and help for people who are trying to put food on the table for the holidays; is that correct? I ask the Senator to expand. As I understand it, we could actually get this done today and give people some peace of mind going into the holidays.

Mr. DURBIN. I say to the Senator from Michigan, yes, we could enter into a consent agreement now and pass this conference report without controversy, and I bet you it would get a unanimous vote.

As the Senator from Michigan described this, everybody here wants to make sure we take care of our troops. We received a unanimous vote, if memory serves me, the last time we extended unemployment benefits. I think most Members want to stand up and help those who are unemployed through this difficult time of unemployment in our country.

If there ever were a bill to bring us together in those two areas—helping our troops and helping the unemployed—this is the bill.

Ms. STABENOW. Mr. President, I wish to ask another question of the Senator from Illinois. If, in fact, the Senator from Illinois is finding the same thing I am right now—certainly, we have the highest unemployment rate in Michigan—and we are hearing it from all over the country; we are hearing from people that their unemployment benefits are about to expire. They are trying to figure out how they are going to make it through the next few months.

There are particular concerns that if we do not extend it by the end of the year that, in fact, many will have to go out and resign up with a new bureaucracy to continue benefits.

I wonder if the Senator has heard the same kinds of concerns and sense of urgency people have about being able to keep a roof over their head, keep food on the table, and keep their health care going—the same sense of urgency that I know we are feeling from people in Michigan?

Mr. DURBIN. I say in response to the Senator from Michigan, through the Chair, that I am happy to read the latest unemployment statistics showing the number of people declared unemployed each month is going down. We will not feel good about it until it is turned around and we are creating jobs again, which I hope is soon.

In the meantime, we have about six unemployed people for every job that is available. These people are in a market that is terrible, and they are trying their best. Some have gone back to school. Some are getting training courses. Some are trying to keep things together with their family and not lose their home because of unemployment.

I am sure the Senator from Michigan has met with the unemployed in Michigan, as I have in Illinois. Some are, little by little, exhausting the savings they have. Even with COBRA, many people find the COBRA provision, which gives people a chance to buy insurance at discounts, is still too expensive. They are without a job. They are running the risk of losing their home. They are without health insurance for their children and are desperately looking for a job. We certainly do not want to put them in a situation where there is a question mark as to whether after December 31 the unemployment check will be there next month. I think it is that peace of mind we owe these folks caught up in the bad circumstances of our economy.

Ms. STABENOW. If I may conclude, to clarify, we can get this done today. We can create that peace of mind for families going into the holidays, going into Christmas, into the end of the year. We could actually do that today in the next few hours?

Mr. DURBIN. That is correct, I say to the Senator from Michigan, we can. Earlier we were embroiled in the reading of an amendment that would have literally consumed the entire day and forced us into another day's time and run the risk of not providing money for the troops when the continuing resolution, the funding resolution, ran out.

The Senator from Vermont withdrew his amendment, and now we have moved to this bill. But there is nothing stopping us. A consent agreement can be entered into by both sides of the aisle that can move this through quickly and say to our troops: We are with you.

I yield to the Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, will the Senator from Illinois yield for a question?

Mr. DURBIN. I will be happy to yield.

Mr. WHITEHOUSE. I am interested in the parliamentary situation that took place earlier whereby one of our Members was actually obliged to withdraw an amendment that was going to be voted on by all of us because of an insistence on the part of the other side that 800 pages be read by our poor clerk before that vote should take place.

I have also heard the other side say that we want to get going, we want to move toward votes. I would be interested in the reflections of the distinguished majority whip on the extent to which a procedural objection to force the clerk to read 800 pages of an amendment, and deny one of our colleagues his vote, fairly represents a desire to move forward and get through our votes.

Mr. DURBIN. I would say in response to the Senator from Rhode Island, we have heard repeatedly that people want amendment, debate, and a vote. What happened on the floor today, when Senator COBURN of Oklahoma refused to give consent to suspending the reading of the amendment, is that the clerk—clerks, I should say—were forced to start reading. As good as they are at reading, the fact is, it was going to take up to 10 hours to read this amendment. During that 10-hour period of time, nothing could happen—no debate, no amendments—nothing other than listening to the clerks' melodious voices. Fortunately for us, the Senator from Vermont stepped up and said: I withdraw the amendment. But if there was a true interest in debate and amendments on health care, it is inconsistent to say we are going to take a day out of the whole affair and read an amendment.

I can tell you, as I said to the Senator from Oklahoma, I can't believe there is a person in America who sat glued to the C–SPAN television listening to this amendment so they would understand it. It is a very complicated amendment page by page but, in general, understandable. The Senator from Vermont was seeking a single-payer health care system. It was not likely to pass, but it is something he believes in fervently and he wanted to offer it. So I would say the strategy on the floor today belies any request that we have more debate and more amendments.

Before the Senator from Rhode Island continues, I think this has been cleared on both sides, but I ask unanimous consent that the time until 6:15 p.m. be equally divided between the two sides, with Senators permitted to speak for up to 15 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. If the Senator from Illinois would yield for another question.

I was elected just about 3 years ago, and I came in with the new majority, so I did not have a chance to serve in this body when there was a Republican President and a Republican majority. I wonder if the Senator, who was here at that time, would reflect on how the other side viewed Defense appropriations for our troops during the Iraq war when they were in the majority. Were they desirous of delay and obstruction and debate and procedural maneuver on Defense appropriations at that time or is this a new strategy of theirs?

Mr. DURBIN. I would say to my colleague from Rhode Island that exactly the opposite was true. They wanted to move quickly to pass any appropriations bill to make certain there was no question in the minds of our men and women in uniform that we were standing with them, and we did. I don't believe even those of us who voted against the invasion of Iraq tried to stop the proceedings from funding the troops, regardless of what our votes might be.

So I think it would be consistent now for our colleagues on the other side of the aisle to join us, in a bipartisan fashion, to say whatever differences on other issues, such as health care, let's let the troops know this holiday season we stand behind them—Republicans and Democrats—and let's do it in an efficient and effective way.

Since this unanimous consent request has been granted, I am going to

yield the floor and any of my colleagues who wish to speak, it will be equally divided time for the next 2 hours.

At this time, I yield the floor. Mr. President, if no one seeks time, I suggest the absence of a quorum and I ask unanimous consent that during the time of the quorum the time be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEMIEUX. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida is recognized.

Mr. LEMIEUX. Mr. President, while we have been here discussing health care, the clock has been ticking on our national debt. Just in the first 2 months of this fiscal year, we have accumulated $296 billion in debt. We took in revenues of $268 billion, and we spent $565 billion. We spent double what we took in just in the first 2 months of the fiscal year.

I know you are new to this Chamber, Mr. President, as am I. I have only been here 90 days, but I have been here long enough to know this system is broken. It doesn't work. Neither this body nor the body across the Capitol has an ability to make ends meet. We continue to spend money we do not have. We spend the money of our children and our grandchildren. Right now we have a $12 trillion debt. It took us 167 years in this country just to amass a $1 trillion debt in 1982. Now we are at $12 trillion. Every family in this country is now responsible for $100,000 of debt.

Where are we getting this money? We are borrowing it from countries such as China, and it is hurting our standing in the world. Central banks that hold American currency are shedding those dollars because they no longer believe our country is a good investment. I worry about our children and our grandchildren. I have three sons, as you know, Max, Taylor and Chase—they are 6, 4 and 2—and we have a baby on the way in March. I am very worried that my children will not be able to experience the American dream like you and I have; to be able to be in the Senate, to be able to achieve all of our goals, whether in public service or in private. I do not believe America is going to be the same place for them, that it is going to hold the same opportunities because I believe this debt is going to strangle us.

If this body and the body across the Capitol don't figure out we need to start making ends meet and stop spending the dollars of future generations, this country will not be the leader of the world. It will not have the promise we have all enjoyed.

I rise today to speak about S.J. Res. 22, which I filed yesterday. It is a constitutional amendment that requires the Congress to balance its budget and also gives to the President of the United States a line-item veto so he, like most of the Governors in this country, can strike out inappropriate budget items, these earmarks that you hear about.

Senator MCCAIN spoke this weekend about $2.5 million to the University of Nebraska to study operations and medical procedures in space. We cannot afford that program under any circumstance, and we certainly can't afford programs like that when we are $12 trillion in debt. These dollar numbers are so big they are hard to comprehend.

What does $1 trillion mean? What does $1 billion mean? In Washington we throw these amounts around, and we do not even comprehend them. I know for the American people at home it is hard to get their minds around how much money this is. I have said this on the Senate floor before, and I am going to keep saying it so people understand that every dollar we spend is a choice.

One million dollars laid edge to edge on the ground would cover two football fields. One billion dollars laid edge to edge on the ground would cover the city of Key West, FL, 3.7 square miles. And $1 trillion would cover the State of Rhode Island—twice. If you stacked them on the ground going up into the sky, it would be 600 miles of one-dollar bills.

Every dollar is a choice, and these numbers are out of control. Just this past Saturday we voted on a spending bill, a spending bill that had a 12-percent increase and $40 billion more than last year. I want to give the American people the sense of what you could do with this kind of money, what good you could do or, better yet, you could give it back to the American people and they could decide what good they could do with those dollars for their families.

With $100 billion, we could give every Floridian a $5,000 tax cut.

With $200 billion we could pay the salary of every teacher for a year. With $300 billion we could pay first-year tuition at a university of their choice for every kid who is in K–12. With $400 billion, we could build high-speed rail for 10,000 miles. We could connect Key West to Anchorage and back.

Every dollar is a choice. We are spending money out of control. Similar to those who have come before me, I will sound the alarm because we still haven't done anything about this problem. There are good measures out there. Senator GREGG from New Hampshire has a measure, along with Senator CONRAD, to put together a commission. I support that. Senator SESSIONS has a measure to bring caps back. Up until about 2002, we actually were making headway against the budget. Then those caps expired and spending went out of control.

I support all those efforts. I support any effort to bring spending under control. This body doesn't have any leadership on spending. Look at what we spend. We don't look at the revenues coming in the door.

I served as chief of staff to a Governor in Florida. When the budget started to go bad in 2007, I was on the phone monthly with the person who determined our receipts. I knew in Florida we could only spend as much money as we had. This institution does not work that way. No one even checks to see what kind of money we are bringing in. We just spend.

I wish to talk to the American people about articles in the Wall Street Journal of today. This is not a Democratic problem or a Republican problem. This is a problem of this institution. The article is titled ''The Audacity of Debt.'' I wish to read one paragraph. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Dec. 16, 2009]

THE AUDACITY OF DEBT

COMPARING TODAY'S DEFICITS TO THOSE IN THE 1980S

At least someone in America isn't feeling a credit squeeze: Uncle Sam. This week Congress will vote to raise the national debt ceiling by nearly $2 trillion, to a total of $14 trillion. In this economy, everyone deleverages except government.

It's a sign of how deep the fiscal pathologies run in this Congress that $2 trillion will buy the federal government only one year before it has to seek another debt hike—conveniently timed to come after the midterm elections. Since Democrats began running Congress again in 2007, the federal debt limit has climbed by 39 percent. The new hike will lift the borrowing cap by another 15 percent.

There is surely bipartisan blame for this government debt boom. George W. Bush approved gigantic spending increases for Medicare and bailouts. He also sponsored the first ineffective''stimulus'' in February 2008—consisting of $168 billion in tax rebates and spending that depleted federal revenues in return for no economic lift.

Democrats ridiculed Mr. Bush as ''the most fiscally irresponsible President in history,'' but then they saw him and raised. They took an $800 billion deficit and made it $1.4 trillion in 2009 and perhaps that high again in 2010. In 10 months they have approved more than $1 trillion in spending that has saved union public jobs but has done little to assist private job creation. Still to come is the multitrillion-dollar health bill and another $100 billion to $200 billion ''jobs'' bill.

We've never obsessed over the budget deficit, because the true cost of government is the amount it spends, not the amount it borrows. Milton Friedman used to say that the nation would be far better off with a budget half the current size but with larger deficits. Mr. Obama and his allies in Congress have done the opposite: They have increased the budget by 50 percent and financed the spending with IOUs.

Our concern is that the Administration and Congress view this debt as a way to force a permanently higher tax base for decades to come. The liberal grand strategy is to use their accidentally large majorities this year to pass new entitlements that start small but will explode in future years. U.S. creditors will then demand higher taxes—taking

income taxes back to their pre-Reagan rates and adding a value-added tax too. This would expand federal spending as a share of GDP to as much as 30 percent from the pre-crisis 20 percent.

Remember the 1980s and 1990s when liberals said they worried about the debt? We now know they were faking it. When the Gipper chopped income and business tax rates by roughly 25 percent and then authorized a military build-up, Democrats and their favorite economists predicted doom for a decade. The late Paul Samuelson, the revered dean of the neo-Keynesians, expressed the prevailing view in those days when he called the Reagan deficits ''an all-consuming evil.''

But wait: Those ''evil'' Reagan deficits averaged less than $200 billion a year, or about one-quarter as large in real terms as today's deficit. The national debt held by the public reached its peak in the Reagan years at 40.9 percent, and hit 49.2 percent in 1995—This year debt will hit 61 percent of GDP, heading to 68 percent soon even by the White House's optimistic estimates.

Our view is that there is good and bad public borrowing. In the 1980s federal deficits financed a military buildup that ended the Cold War (leading to an annual peace dividend in the 1990s of 3 percent of GDP), as well as tax cuts that ended the stagflation of the 1970s and began 25 years of prosperity. Those were high return investments.

Today's debt has financed . . . what exactly? The TARP money did undergird the financial system for a time and is now being repaid. But most of the rest has been spent on a political wish list of public programs ranging from unemployment insurance to wind turbines to tax credits for golf carts. Borrowing for such low return purposes makes America poorer in the long run.

By the way, today's spending and debt totals don't account for the higher debt-servicing costs that are sure to come. The President's own budget office forecasts that annual interest payments by 2019 will be $774 billion, which will be more than the federal government will spend that year on national defense, education, transportation—in fact, all nondefense discretionary programs.

Democrats want to pass the debt limit increase as a stowaway on the defense funding bill, hoping that few will notice while pledging to reduce spending at some future date. Republicans ought to force a long and careful debate that educates the public. Ultimately, the U.S. government has to pay its bills and the debt limit bill will have to pass. But debt limit votes are one of the few times historically when taxpayer advocates have leverage on Capitol Hill. Republicans and Democrats who care should use it to discuss genuine ways to put Washington on a renewed and tighter spending regime.

''Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren,'' Senator Barack Obama said during the 2006 debt-ceiling debate. ''America has a debt problem and a failure of leadership. Americans deserve better.'' That was $2 trillion ago, when someone else was President.

Mr. LEMIEUX. Reading from the Wall Street Journal:

Democrats ridiculed Mr. Bush as ''the most fiscally irresponsible President in history,'' but then they saw him and raised. They took an $800 billion deficit and made it $1.4 trillion in 2009 and perhaps that high again in 2010. In 10 months they have approved more than $1 trillion in spending that has saved union public jobs but has done little to assist private job creation. Still to come is this multitrillion-dollar health care bill and another $100 billion to $200 billion ''jobs'' bill.

We can't afford the programs we have, let alone the programs we want. I filed this joint resolution to have a balanced budget. I filed the joint resolution to give the President the line-item veto like Governors do. I know I am tilting at windmills. I know there are very few people in this Chamber or the Chamber down the hall who have the courage to do this. They are part of the process. They go along and get along. But I am fresh enough to still remember how things work in the real world. We have to change things. Our children are not going to have this great country. I am so afraid that one of my kids is going to come to me when they are 18 or 22 and say: Dad, I am going to go to another country to make my living. I am going to go to Ireland or Chile or India because I have a better opportunity there to succeed. I can't pay 60 percent in taxes. I can't assume what will then be a $23 or $30 billion debt.

We are not even talking about all the entitlements we haven't paid for. We are not talking about all the money we have raided out of Medicare and Social Security in order to pay for current expenses. Some people say those obligations are more than $60 trillion, numbers we can't even comprehend.

I filed this resolution. I will send a letter to every Governor asking them to adopt it in advance of the Congress taking it up. A constitutional amendment requires two-thirds of both Chambers and three-quarters of the States. They can act first. They can send letters and resolutions from their legislators to this legislative body and say: Get your act under control.

It affects them too. This new health care bill is going to send an unfunded mandate to the States and increase Medicaid from 100 percent of poverty to 133 percent. They will have to pay that bill. It is going to cost Florida in 10 years almost $1 billion. Right now, in Florida, the No. 1 expenditure in our budget is Medicaid. Because we balance our budget, that means we take money away from teachers and education. That means we take money away from law enforcement. It is out of control.

I am here to say the siren is sounding. The ship is going to hit the iceberg. We can't make just incremental change because then we will just hit the side of the iceberg. We have to make substantial change. The people in this body have to have the courage to do it. We can't just go along and get along as we have before. We cannot be tone deaf. The American people are onto us. They understand we are spending money we don't have. I will not stand by and let this great country fall into decline without at least arguing and pushing as strenuously as I can for a solution. I am willing to work with men and women of good will on both sides of the aisle to solve the problem. I am new here. I might not have all the answers. I probably don't. But I will surely work hard. I know this is one solution. If every State can have a balanced budget amendment and 43 States can have a line-item veto, why can't this body?

I have filed this resolution. I look forward to talking about it more. I hope this body will take it seriously. I see my friend from Massachusetts is here. He also is new to this body, although he spent many years working here. We have to do things differently. We throw around billions and trillions like it is just nickles and dimes in our pockets. It is not. Every dollar is a choice. It is a choice to make. If we don't make the right choice, it will be a choice our children and grandchildren will suffer under.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KIRK. Mr. President, ''The need for comprehensive national health insurance and concomitant changes in the organization and delivery of health care in the United States is the single most important issue of health policy today.'' Those are not my words. Those are the words of Senator Edward M. Kennedy. The ''today'' of which he spoke was December 16, 1969, exactly 40 years ago today. It was his first major speech on health care reform, and I was privileged to be a young member of his staff. He delivered that speech to a group of physicians at Boston University Medical Center.

Senator Kennedy went on to say:

If we are to reach our goal of bringing adequate health care to all our citizens, we must have full cooperation between Congress, the administration, and the health professionals. We already possess the knowledge and the technology to achieve our goal. All we need is the will. The challenge is enormous, but I am confident that we are all equal to the task.

The world has progressed in many ways since he spoke those words four decades ago, but our health care system has not. In 1969, the United States spent $18 billion on health care. Today we spend over $2 trillion a year. Senator Kennedy pointed out, in 1969, that the Nation faced a shortage of primary care doctors. The reimbursement rates for physicians treating Medicare and Medicaid patients were too low. There was a need to support greater innovation in delivering care, and neighborhood health centers were underfunded. He said we needed to develop an effective means of providing quality, affordable care to all Americans, regardless of their standing in life.

Does all this sound familiar? Yes. But that was then and this is now.

In recent weeks, Senators on both sides of the aisle have come to this floor to debate the merits of the Patient Protection and Affordable Care Act. We have had our differences of opinion, to be sure. But on one issue there is no dispute. When it comes to our health care system, there is no such thing as a status quo. We will move forward or we will continue to fall behind.

Here is what we will face, if we do not pass this reform. Premiums will skyrocket and could consume as much as 45 percent of a median family's income by 2016. Bankruptcies will increase due to families not being able to

afford their medical costs. More Americans will be uninsured. Small and large businesses will suffer financially due to health cost increases. Health care could constitute as much as 28 percent of our Nation's GDP by 2030. Fifteen percent of the Federal budget could be dedicated to Medicare and Medicaid by 2040.

Ted Kennedy had a keen sense of history. He knew Germany adopted the idea of national health insurance in the 1880s, that Britain, France, and a number of other European nations embraced the concept after the First World War, that Canada has had a publicly funded system since the 1950s. He would ask, as he did in 1969 and again in 2009: If all these nations understood long ago that their economic health was ultimately tied to the health of their people, why does the United States stand alone as the only major industrial nation in the world that fails to guarantee health care for all its citizens?

It is not that we have never sought this goal in the past. Presidents, Republicans and Democrats, over many decades, have proposed national health insurance in America. Presidents Theodore Roosevelt, Franklin Roosevelt, Harry Truman, John F. Kennedy, Richard Nixon, and Bill Clinton all made health reform a part of their agenda. Now we stand on the threshold of history. Never has this country been so close to bringing affordable, quality health care to millions of America's families. Today, under President Obama's leadership, the goal is within our reach. Failure is not an option. All interested parties have been brought to the table. Physicians, hospitals, insurance companies, small businesses, pharmaceutical companies, and many others have had an opportunity to present their suggestions and offer their input. Dozens of hearings were held on all topics related to this issue.

The House of Representatives has acted. The Senate HELP Committee, through the diligence of Senators Kennedy, DODD, and HARKIN and the Finance Committee, under the leadership of Senator BAUCUS, held lengthy executive sessions that discussed all areas of reform and delivered and developed their respective bills. Due to the hard work and tireless patience of the majority leader, we have one merged bill before us, a single piece of legislation which will improve the lives of millions of Americans in the following ways. It expands coverage to an additional 31 million Americans, bringing health insurance to almost 94 percent of our citizens. It saves money by rewarding the quality and value of care, not the quantity and volume of care. It controls the cost of skyrocketing premiums and limits out-of-pocket expenses. It reduces the Federal deficit by an estimated $130 billion in the first 10 years and an estimated $650 billion in the second 10 years. It stimulates competition in the health insurance marketplace through establishment of exchanges. It strengthens Medicare by reducing unnecessary spending, lowering prescription costs, and closing the so-called doughnut hole. It attacks fraudulent and wasteful spending and helps to correct abuses in the system. It rewards wellness and prevention by expanding access to advice on how to live a healthy lifestyle by practicing good nutrition, increasing physical activity, and quitting smoking.

It eliminates unfair discrimination against patients by preventing insurance firms from denying certain coverage to women or to individuals with preexisting conditions.

It promotes flexibility and innovation in new health care technologies. It introduces a self-funded, voluntary choice for long-term services and support for the elderly and disabled. Most of all, it saves lives by providing affordable, quality care for individuals, families, and small businesses.

In my State of Massachusetts, because of our successful reform, the rate of the uninsured has been reduced to 2.7 percent of the population, and the lives of thousands of citizens of our Commonwealth have been immeasurably improved.

Carol's case is one example. Carol did not realize the importance of having quality, affordable health insurance until she was confronted with the gravity of her own health problems. She is a 24-year-old woman suffering from seizures and desperately in need of help.

She remembers having occasional seizures as a child. They occurred mostly when she was overtired. As Carol grew older, the seizures became more frequent. One day, she had an episode when driving her car. Fortunately, her passenger was able to assist her. But that frightening incident convinced Carol to seek professional help.

She learned about the assistance of Health Care For All, the Massachusetts organization dedicated to making quality, affordable health care accessible to everyone. She applied and was declared eligible for Commonwealth Care. She immediately went to see a specialist and was given the health care she needed.

Carol expressed her gratitude in these words:

> I definitely feel blessed to be a Massachusetts resident. I can't thank Health Care For All and MassHealth enough for all the support given to me. The Helpline counselors literally held my hands and brought me to live a healthy life, where there is no fear or embarrassment, but there is knowledge and a total control of my seizures. So, thank you so much all of you who make this happen in people's lives.

We should all think about Carol and the millions of working families across the country when we vote for this legislation. It is our responsibility to enact laws that make a positive difference in people's lives, and that is what this bill is all about.

Senator Ted Kennedy envisioned a better America where, as he said:

> [E]very American—north, south, east, west, young, old—will have decent, quality health care as a fundamental right and not a privilege.

This is a historic moment in our national life. We have the chance to finally complete the work that a respected Republican President called for over a century ago. Quality health care for all has always been needed in America but never more than now. The finish line is clearly in sight. The momentum and the energy are with us, and it is our obligation to seize this historic moment.

Every Member of this body is aware of the valiant fight Senator Kennedy waged for his own health during the last 15 months of his life. Many of you saw him, after receiving radiation and chemotherapy in the morning in Boston, walk into this Chamber that he loved to cast a deciding vote in the afternoon on the issue he proudly called the cause of his life.

While being treated at Massachusetts General Hospital, Senator Kennedy met a woman named Karen List. Her daughter Emily was one of many patients receiving a similar regimen of exhausting cancer treatments. They came from different walks of life, and cancer had touched them all.

In September 2008, after Emily's long summer of treatments, Karen wrote about Senator Kennedy and other patients he had met during his treatment. She wrote:

> Now, it is almost fall, and little Caroline is starting kindergarten. Senator Kennedy, who came from a hospital bed to speak at the convention, is planning his return to the Senate in January. Alex, an Apache helicopter pilot, is back at Fort Campbell and expects to be deployed to Afghanistan in the New Year. And Emily hopes to be well enough by spring to return to her life in London. The dream, as Senator Kennedy promised, does live on.

Mr. President, I ask unanimous consent that the article by Karen List in the Daily Hampshire Gazette be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Daily Hampshire Gazette, Sept. 8, 2008]

A CHAMPION OF HEALTH COMFORTS HIS FELLOW PATIENTS

(by Karen List)

As Sen. Ted Kennedy's distinctive voice passed the torch at the Democratic National Convention and promised us that the dream lives on, all I could think of was that same distinctive voice several weeks ago calling out: ''Where's Emily?''

Ted was at the other end of the hall in the Proton Therapy Center, Dept. of Radiation Oncology, at Massachusetts General Hospital, where both the senator and my daughter Emily were being treated for cancer.

The proton beam is cutting-edge treatment for certain types of tumors, and the MGH center is one of only five in the country and a handful in the world.

We were lucky to be there, though it was getting increasingly hard to feel lucky as seven weeks of daily treatment took their toll on Emily and the other patients at the center.

They ranged in age from toddlers to the elderly. Little Caroline was 5. Senator Kennedy was 77. In between them were Emily, 23,

and Alex, 26, two of just a few young adults in proton beam treatment.

Radiation burn was the worst side effect for many patients, and it was now preventing Emily from eating or talking. She was at a low point, and she needed a lift.

We had seen Teddy come and go for several days, slipping in through a side entrance and out the same way, always accompanied by his wife, Vicki. When our eyes happened to meet, we exchanged a thumb's up and were treated to that Kennedy smile—as distinctive as the voice.

The day before Ted's treatment was to end, Emily's nurse stopped by the room where she was being treated and pulled the curtain aside. Several minutes later we heard him call from the other end of the hallway: ''Where's Emily?'' And then he was there, talking to her, encouraging her—and just as quickly, he was gone.

Emily was so excited that she was hopping up and down in the bed from a reclining position, if such a thing is possible. But because she couldn't talk, she hadn't been able to say a word to one of the few politicians she really admires.

The next day, our nurse delivered the card we'd written to the senator, explaining how thrilled Emily had been to meet him and how distressed she was that she couldn't tell him so herself. On the card was a photo of Emily at her favorite English pub, smiling her own distinctive smile. She had been home for a short break from her work interning in the London Theater when she'd been diagnosed with cancer. Now she was battling to get her work and her life back.

Teddy had just finished his treatment. This time, as he came down the hall for the last time, Emily was ready. On the slate that she'd been using to communicate, she'd written in purple marker: ''We love you, Ted.'' The senator laughed, walked to her bedside and whispered to her for a few minutes in solidarity, while Vicki talked to Emily's dad and me. We exchanged heartfelt good wishes for each other as they left the center to return home.

Emily had another week of treatment left. During that time, her nurse told us how concerned Sen. Kennedy had been about the other patients, especially the children and young people—and their parents. He had been through this same experience with his own son decades earlier when only one type of chemotherapy was available, unlike the cocktail of diverse chemo drugs that patients like Emily receive today.

This lifelong champion of health care for all Americans, especially children, had experienced once again—this time as the patient himself—what first-rate cancer care could mean. And he intends to continue fighting for its accessibility to everyone as the senior Democrat on the Health, Education, Labor, and Pensions Committee.

On Emily's last day at the center, there was a special gift waiting for her. Ted had left her a copy of his book, ''My Senator and Me: A Dog's-Eye View of Washington, D.C.,'' written by him and his dog Splash. It was inscribed: ''To Emily—Splash and I hope you enjoy.''

And she did. Ted had provided just the encouragement she needed. He'd also left a stack of books for other young patients and the book on tape for those whose vision had been compromised by their treatments.

Now it's almost fall, and little Caroline is starting kindergarten. Senator Kennedy, who came from a hospital bed to speak at the convention, is planning his return to the Senate in January. Alex, an Apache helicopter pilot, is back at Ft. Campbell and expects to be deployed to Afghanistan in the New Year. And Emily hopes to be well enough by spring to return to her life in London.

The dream, as Senator Kennedy promised, does live on.

Mr. KIRK. Karen's was a statement of hope—hope and promise for each of these patients in the face of daunting odds. Their age did not matter; their economic status did not matter; each received the highest quality of health care available. And so it should be for all our people.

Senator Kennedy understood that we are all connected to one another. He often referred to President Lincoln's words about our common humanity and the good that can come to us all when touched ''by the better angels of our nature.'' And he knew that on no issue are our futures more connected than on health care.

Ted Kennedy's voice still echoes in this Chamber. His spirit of hope and strength, of determination and perseverance is still felt here. He said:

For all my years in public life, I have believed that America must sail toward the shores of liberty and justice for all. There is no end to that journey, only the next great voyage. We know the future will outlast all of us, but I believe that all of us will live on in the future we make.

Let each of us in this Senate be moved by the better angels of our nature and make that future a better one for our generation and for generations to come. As Ted Kennedy said 40 years ago: ''All we need is the will.'' This is our time, Mr. President. Let us pass this legislation now.

Mr. President, I ask unanimous consent that the speech delivered by Senator Edward M. Kennedy on December 16, 1969, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR EDWARD M. KENNEDY, LOWELL LECTURE SERIES, BOSTON UNIVERSITY MEDICAL CENTER—LOWELL INSTITUTE, DECEMBER 16, 1969

I am delighted to be in Boston today under the auspices of the Boston University Medical Center and the Lowell Institute to address this distinguished audience of medical educators, private physicians, and lay men concerned with the quality of health care in America.

I am particularly pleased to be here because it gives me the opportunity to commend the many worthy accomplishments of the Boston University Medical Center and its School of Medicine. You have succeeded in breaking down walls that for decades have turned medicine inward toward the age-old trinity of patient care, research and teaching. You have expanded your horizon to embrace the equally important area beyond your walls—the community in which we live.

For more than 90 years, your Home Medical Service has taken students into the community and provided model health care and innovative medical services in the home. Your expanding programs of new hospital affiliation have brought modern urban medicine to outlying communities. You have helped to lead the way in efforts throughout the world to unify cancer care with cancer research, so that today's advances in the laboratory become tomorrow's accepted treatment. Your School of Graduate Dentistry, dedicated in September, will provide high quality dental care as part of the Medical Center's total health program for the community.

In the course of the past decade, your pioneering program in community psychiatry and mental health in the South End and Roxbury—launched long before the Great Society and the Office of Economic Opportunity came into being and made such programs fashionable—have become a model for the nation. You helped develop what is now the rallying cry for health planning in America—that new health programs must be designed with the people and by the people, not just for the people. As Dr. Handler has so eloquently stated, your far-reaching role in community involvement is like a man standing by a river watching people drown:

''Medicine traditionally wades in,'' he said, ''and tries to save them one at a time. After doing this repeatedly, you can't help but ask what is happening upstream. It seemed sensible to go back and find out why all the people were falling in, and try to do something about it.''

I commend you for your leadership in looking upstream, and for the remarkable efforts you are making in preventive community medicine and all the other major areas of this great center's activity.

Six weeks ago in Springfield, I had the occasion to discuss what I regard as the single overriding economic issue of the day—the war against inflation. As I have frequently stated, the war against inflation is a war that can and must be won without the cost of heavy unemployment. It is a war that can and must be won without cutting back on our important domestic priorities.

Nowhere is the impact of inflation more obvious than in the rising cost of medical care. Never has the gift of good health been more precious:

In the last three years, the cost of health has risen by 22 per cent, or nearly double the rise in general consumer prices.

Hospital daily service charges have soared by the astronomical rate of 55 per cent, or nearly five times the rise in consumer prices. The average cost of a hospital day is now $68. It will rise to $74 next year, and to $98 by 1973.

Physicians' fees have risen by 21 per cent. Doctors line up at lawyers' offices to form corporations and raid the Federal Treasury for hundreds of thousands of dollars a year in deferred taxes.

All of this inflation has occurred during the early years of Medicare and the troubled Medicaid program. The most rewarding experience of Medicare has been its success in solving the serious problem of health costs for our poor and our aged citizens. In spite of inflation, Medicare has been immensely popular. It is liked and accepted by the people.

The most painful experience of Medicare and Medicaid has been their unfulfilled promise. We sought to spread the benefits of medical science and technology to millions of Americans, without considering the anachronistic and obsolete structure of the system by which the health services would be delivered. Unwisely, as many experts have recognized, we assumed that all that stood between our poor and aged citizens and high quality medical care was a money ticket into the mainstream of modern American medicine.

We know now that we were wrong. The money ticket was important, but it was not enough to solve the problem. In the years since Medicare and Medicaid were enacted, we have learned that medical insurance and payment programs could not be translated instantaneously into more doctors, more nurses, more health facilities, or better organization of the delivery system.

In wedding new purchasing power to the already existing demand for health services, we did nothing to solve an already intolerable situation. The cost of health care began

to soar. In some cases, the quality of care declined, and an enormous strain was placed on the capacity of our existing health services and facilities. When an already overworked physician goes from seeing one hundred patients a day to seeing two hundred patients a day, the quality of his care is inevitably affected. His only escape is to consign more of his patients to hospital treatment, thereby increasing the strain on hospital facilities and hospital costs.

Today in the United States, health care is big business. Indeed, it is the fastest growing failing business in the nation—a $60 billion industry that fails to meet the urgent demands of our people. Today, more than ever before, we are spending more on health care and enjoying it less. By 1975, we may be spending $100 billion a year on health and be worse off than we are now in terms of the quality and responsiveness of our health care system.

Perhaps the most serious fault in the present situation is the failure of the Federal Government to play a greater role in improving the quality of the nation's health care. Health is big business in America, and the Federal Government has become a major partner in this business. The total outlays for medical and health-related activities in the Federal budget estimated for 1970 are $18 billion, or nearly one-third of the total health expenditures in the nation. The outlays for 1970 are divided among 14 principal departments and agencies. By far the largest amount—$13 billion—is expended by the Department of Health, Education and Welfare, but significant amounts are also expended by the Department of Defense—$2 billion—and the Veterans Administration—$1.7 billion.

In 1960, the total outlays for health in the Federal budget were only $3 billion. Thus, in the decade of the Sixties alone, we have had a six-fold increase in total Federal outlays for health. Indeed, almost 10 per cent of the total Federal budget now goes for health. The major share of the rise in recent years has been for Medicare and Medicaid. Yet, in spite of the dramatic increases in the health budget and the large amounts we are now spending, there is almost no one who believes that either the Federal Government or the private citizen is getting full value for his health dollar.

Of course, a significant proportion of the increase in health expenditures is being consumed by rising costs and our growing population. Between 1950 and 1969, personal health care expenditures increased by $42 billion. Of this increase, 50 per cent was attributable to rising coats, and another 19 per cent was attributable to population growth, so that only 31 per cent of the increase represents real growth in health supplies and services over the past two decades.

Although the conventional wisdom is content to blame our current medical inflation on Medicare and Medicaid and the excess demand created by these programs for health care, there is another, more controversial aspect to the rising prices. At Professor Rashi Fein and other experts in the field of the economics of medicine have made clear, the basic models used by economists are not appropriate when applied to health. The medical market. is characterized by the absence of competition, diverse products, and consumer ignorance. Comparisons of quality and performance are extremely difficult, if not impossible.

In other words, the medical marketplace is an area where the laws of supply and demand do not operate cleanly, and where physicians have a relatively large amount of discretion in setting their fees. Thus, at the time Medicaid and Medicare were instituted, fees rose for a variety of reasons, many of which were unrelated to the creation of excess demand:

Some physicians raised their fees in anticipation of a Federal fee freeze.

Some raised their fees in the face of rising hospital costs, in order simply to preserve their slice of the growing health pie.

Some raised their fees simply because they had the discretion to do so, and decided to take advantage of the instability and price consciousness generated by the new Federal programs.

As In the case of physicians' fees, the economic model of supply and demand does not tell the whole story of rising hospital costs. In part, hospitals took the opportunity to provide substantial—and wholly justified—wage and salary increases to their notoriously underpaid employees. In part, costs rose because the new Federal financing methods contained few incentives for improving efficiency, but simply encouraged hospitals to pass the higher costs on to Washington.

The high cost of medical care is but one aspect of the overall health crisis, In America today, it is clear that we are facing a critical shortage of health manpower. Indeed, at bottom, our crisis in medicine is essentially a crisis in manpower. The need is urgent for more physicians, more dentists, more nurses, and more allied health professional and technical workers. We must develop new types of health professionals and pare-professionals. We must make far more efficient utilization of our existing health manpower. Only if we succeed in these efforts will we be able to free our physicians and highly trained medical experts to perform the sort of intricate operations and sensitive counselling discussed by Dean Redlich in the inaugural lecture in this series.

The need is especially clear in the case of the shortage of doctors. Our low physician-population ratio means that unsatisfactory medical care is a way of life for large numbers of our people in many parts of our nation. In 1967, in the United States as a whole, there were 260,000 private physicians providing patient care for our 200 million people. This is a ratio of 130 physicians for every 100,000 citizens, or one doctor for every 700 people.

At first glance, the ratio appears to be fairly close to the satisfactory ratio generally recommended by many health experts, but the figures are misleading. The family doctor—the general practitioner—is fast disappearing, and is on the verge of becoming an extinct species. At the present time only one out of four of the nation's physicians is engaged in the general practice of medicine. Three out of four are specialists, most of whom accept patients only on a referral basis. The true doctor-population ratio, therefore, is more like one general practitioner per three thousand population, a ratio that is clearly unacceptable for adequate health care for our people. For far too many of our citizens, the only ''doctor'' they know is the cold and impersonal emergency ward of the municipal hospital.

To make matters worse, the geographic distribution of our doctors is highly uneven. Two-thirds of our physicians serve the more affluent half of our population. In some states, of course, the physician-population ratio is higher than the national average of 130 doctors per 100,000 population. In Washington, D.C., the ratio is 318; in New York it is 199; in Massachusetts, 181.

In sixteen states, however, the physician-population ratio is far below the national average. In Alaska and Mississippi, the ratio is an abysmal 69, or about one-half the national average. In Alabama, it is 75. Even in Texas, it is only 106. Clearly, therefore, extremely large groups of our population are receiving seriously inadequate medical care because of the shortage of physicians.

One of our most urgent needs to meet this crisis is a stronger Federal program to expand existing medical schools and establish new schools. We must substantially increase the output of doctors from our medical schools. At the present time, about 8,000 students are graduated from our medical schools each year. The Association of American Medical Colleges estimates that the number of students entering medical schools will increase by 25 per cent to 50 per cent by 1975, as a result of the construction of new medical schools already begun, and the expansion of existing schools already planned. Yet, if the physician-patient ratio is to be improved substantially, our goal should be to admit double the number of current students by 1975, with special emphasis on medical schools in regions where the physicians-population ratio is too low.

There is another reason why we must increase the enrollment in our medical schools, aside from the need to provide better health care for our people. Today in America, the medical profession is that one profession that flies in the face of the American credo that every man shall have the opportunity to join the profession of his choice. Today in America, if a poor black or white young American aspires to be a lawyer, he will have the opportunity to enroll in a law school somewhere in the nation that will give him the chance to fulfill his dream. It is the shame of American medicine that no such opportunity exists for the youngster who aspires to enter what is perhaps the most exalted and selfless of all our professions, the healing arts.

Ironically, at the very time we are denying this opportunity to our own citizens, we are importing thousands of foreign-trained doctors each year to meet our manpower crisis. Twenty per cent of the newly licensed physicians each year in the United States are foreign-trained. Forty thousand foreign medical graduates are now practicing medicine in the United States, or about 15 per cent of the total number of doctors providing patient care. Thirty per cent of all our interns and residents are foreign-trained.

These figures are appalling. I believe that at this crucial period in world history, it is deeply immoral for us to be luring physicians from the rest of the world to meet our own doctor shortage, when their services are even more critically needed in their own lands.

The landscape we see is bleak, but it is not without hope. If we are to be equal to the challenge, however, we must be prepared to take major new steps. As Hippocrates himself put it two thousand years ago, where the illness is extreme, extreme treatments may be necessary. I would like, therefore, to share with you my views as to the directions we should begin to take now, if we are to meet the challenge.

First, and perhaps most important, we need a new approach to the politics of health. Our single greatest deficiency in the area of health is our failure to develop a national constituency, committed to a progressive and enlightened health policy. As a prestigious Committee of the National Academy of Sciences has recently and eloquently stated with respect to the problem of the confrontation between technology and society, the issue is far more serious than the simple question of braking the momentum of the status quo. Today, all too often, whether the area be that of medicine, or education, or pollution, the vested interests are strongly ranged against innovation, and there is no champion capable of marshaling the diffuse advocates for progress and reform. When a better teaching organization threatens the bureaucratic status quo in education, we know there will be organized opposition from

school officials, but there is seldom organized advocacy by parents and children. When a new and more efficient development is offered that threatens the status quo in health—whether in the organization, financing, or delivery of health care—we know there will be opposition from organized medicine, but there is seldom organized advocacy by health consumers.

In these situations, a thorough consideration of the relative merits of alternative proposals is rendered difficult, if not impossible, by the presence of powerful spokesmen for the old, and the absence of effective spokesmen for the new. If we are to succeed in making basic changes in our health care system, we can do so only by creating the sort of progressive national health constituency that can make itself heard in the halls of Congress and the councils of organized medicine.

To be sure, there is cause for hope. The present generation of medical students is outstanding. They are already beginning to develop the commitments to public causes, the enlightment and social conscience so desperately needed in the health profession, And, in spite of the heavy responsibility that organized medicine must bear for the inadequacy of our health manpower and other resources, a few leaders have recently made progressive statements suggesting a new recognition and awareness of the problem.

Second, the Federal Government must play a far more active and coherent role in the formulation and implementation of health policy. We must develop a comprehensive and carefully coordinated national health policy, with an administrative structure capable of setting health goals and priorities for the nation, In the spring of 1968, I introduced legislation urging the creation of a National Health Council to be established in the Executive Office of the President with responsibility for setting health policies and making recommendations for the attainment of health goals, including the evaluation, coordination, and consolidation of all Federal health programs and activities. The National Health Council would be modeled along the lines of the Council of Economic Advisors, which has consistently played a superlative role in planning and coordinating the nation's economic policy.

Third, we must move away from our excessive emphasis on high-cost acute-care hospital facilities. We must make more imaginative use of innovative types of low-cost facilities, such as neighborhood health centers and other out-patient facilities, storefront clinics, and group health facilities. In spite of the active opposition of a substantial segment of the medical profession, group practice and hospital-based practice are probably the most efficient and economical means of delivering health care today. In many areas, the ideal arrangement consists of a teaching hospital in a medical center, with affiliations to community hospitals in the surrounding area. In turn, each of the community hospitals serves as the center of a series of satellite group practice clinics that can reach out directly into the entire community.

Fourth, while we are building the nation's overall health policy, we must give special attention to the health of our urban and rural poor. For too many of the poor, the family physician has disappeared, to be replaced by the endless lines and impersonal waiting rooms of huge municipal and county hospitals. Yet, there are few physicians today who were not trained on the wards and charity patients in our teaching hospitals. Too often, as Professor Alonzo Yerby has eloquently stated, our poor have had to barter their bodies and their dignity in return for medical treatment.

In America today, millions of our citizens are sick, and they are sick only because they are poor. We know that illness is twice as frequent among the poor. We know that the poor suffer three times as much heart disease, seven times as many eye defects, five times as much mental retardation and nervous disorders. Although our goal must be one health care system open to all our citizens, we have an obligation now to increase the range and efficiency of the health services and facilities available to the poor, with special emphasis on breaking down the barriers that have for so long divided our society into a two-class system of care—one for the rich and one for the poor, separate and unequal.

Specifically, I urge the Administration to create a National Health Corps, as an alternative to the draft for doctors, and stronger than the ''Project U.S.A.'' program recently recommended by the AMA. Today, doctors are exempt from the draft if they serve two years in the National Institutes of Health or other branches of the Public Health Service. The same exemption should exist for doctors volunteering for medical service in urban or rural poverty areas, Only in this way will we be able to meet the critical need for health manpower in depressed areas. And, once young physicians are exposed to the problems of health care for the poor, a significant proportion of them will be encouraged to remain and dedicate their careers to this service.

In addition, we should make a substantial new effort to expand the neighborhood health center program. At the present time, less than a dozen medical societies in the nation have become actively involved in neighborhood health centers. Yet, in recent weeks, prominent leaders of the AMA itself have called for a greater role for neighborhood health centers as a means of extending health care to the poor. A few imaginative pilot projects reaching in this direction have recently been funded by the Office of Economic Opportunity, including a program to reorganize the out-patient department at Boston City Hospital as a nucleus for community health care, but our overall effort has been inadequate. Tragically, at a time when even organized medicine is moving forward, we have been unwilling to allocate the resources so urgently needed for this program.

Fifth, within the critical area of health manpower, we must give special attention to training new types of health professionals. In far too many cases, highly trained physicians spend the overwhelming majority of their working day in tasks that do not require their specialized medical skills. One of the most promising methods of easing the shortage of doctors is to train new types of health workers to perform these non-specialized tasks, thereby freeing our physicians for other, more urgent needs. We must develop a broad new range of allied health professionals, such as paramedical aides, pediatric assistants, community service health officers, and family health workers.

At a number of our universities, imaginative new programs are under way to train medical corpsmen from Vietnam as physicians' assistants. In the State of Washington, hospital corpsmen are trained for three months in the medical school, and then sent into the field for nine months' further training in the offices of private physicians. A similar program now exists at Duke University. These programs are unique in their emphasis on combined training in the classroom and in the field. They are programs that must be greatly expanded if we are to meet the urgent demand for more and better trained health manpower.

Sixth, we must restore the severe budget cuts that have been proposed in Federal health programs by the present Administration. Later this week, the full Senate will vote on Federal health appropriations for the current fiscal year, 1970. None of us in Congress can be proud that almost half way through the present fiscal year, we are only now about to vote the funds that may be used. Our error is compounded by the knowledge that at this time of medical crisis, Federal assistance to health programs may be drastically curtailed, especially in the areas of research and manpower training.

Today, when every medical school and every other health school is being urged to expand its manpower programs, the Administration is requesting far less funds than Congress authorized as recently as 1968 for these vital programs.

The impact of the proposed cuts will be felt in medical schools, hospitals, research centers, and communities throughout the nation. It will be measured in terms of cancer research cut short, lives lost because coronary care units are un-funded, special hardship for the poor, and the loss of dedicated young students from careers in medicine and medical research.

Seventh, I come to what I believe is the most significant health principle that we as a nation must pursue in the decade of the Seventies. We must begin to move now to establish a comprehensive national health insurance program, capable of bringing the same amount and high quality of health care to every man, woman, and child in the United States.

National health insurance is an idea whose time has been long in coming. More than a millennium ago, Aristotle defined the importance of health in a democratic society, when he said:

''If we believe that men have any personal rights at all as human beings, then they have an absolute moral right to such a measure of good health as society and society alone is able to give them.''

Today, the United States is the only major industrial nation in the world that does not have a national health service or a program of national health insurance. The first comprehensive compulsory national health insurance was enacted in Prussia in 1854. Throughout the Twentieth century, proposals have been periodically raised for an American program, but never, until recently, with great chance of success.

National health insurance was a major proposal of Theodore Roosevelt during his campaign for the Presidency in 1912. Shortly before the First World War, a similar proposal managed to gain the support of the American Medical Association, whose orientation then was far different than it is today, During the debate on social security in the Thirties, the issue was again raised, but without success.

Today, the prospect is better. In large part it is better because of the popularity of Medicare and the fact that many other great national health programs have been successfully launched. The need for national health insurance has become more compelling, and its absence is more conspicuous. In part, the prospect is good because the popular demand for change in our existing health system is consolidating urgent and widespread new support for a national health insurance program as a way out of the present crisis.

For more than a year, I have been privileged to serve as a member of the Committee for National Health Insurance, founded by Walter Reuther, whose goal has been to mobilize broad public support for a national health insurance program in the United States. Two months ago in New York City, the Reuther Committee sponsored a major conference, attended by officers and representatives of more than 65 national organizations, to consider a tentative blueprint for

a national health insurance program. At the time of the conference, I commended Mr. Reuther for the extraordinary progress his Committee has made. I look forward to the future development of the program. Already, it offers. one of the most attractive legislative proposals that is likely to be presented for our consideration next year in Congress.

We must recognize, therefore, that a great deal of solid groundwork has already been laid toward establishing a national health insurance program. It is for this reason that I believe it is time to transfer the debate from the halls of the universities and the offices of professors to the public arena—to the hearing rooms of Congress and to the offices of your elected representatives.

Early next year, at the beginning of the second session of the 91st Congress, I intend to introduce legislation proposing the sort of comprehensive national health insurance legislation that I believe is most appropriate at the current stage of our thinking. The mandate of the Medicaid Task Force in the Department of Health, Education and Welfare has been expanded to investigate this area, and I urge the Administration to prepare and submit its own proposals.

Senator Ralph Yarborough of Texas has told me that, as Chairman of the Senate Subcommittee on Health, he will schedule comprehensive hearings next year on national health insurance. Our immediate goal should be the enactment of legislation laying the cornerstone for a comprehensive health insurance program before the adjournment of the 91st Congress. This is an issue we can and must take to the people. We can achieve our goal only through the mobilization of millions of decent Americans, concerned with the high cost and inadequate organization and delivery of health care in the nation.

Last week on the floor of the Senate, we witnessed the culmination of what has been one of the most powerful nationwide legislative reform movements since I joined the Senate—the taxpayers' revolution. It now appears likely that by the end of this month, there will be laid on the President's desk the best and most comprehensive tax reform bill in the history of the Federal income tax, a bill that goes far toward producing a more equitable tax system.

We need the same sort of national effort for health—we need a national health revolution, a revolution by the consumers of health care that will stimulate action by Congress and produce a more equitable health system.

Because of the substantial groundwork already laid, I believe that we can agree on three principles we should pursue in preparing an effective program for national health insurance:

First, and most important, our guiding principle should be that the amount and quality of medical care an individual receives is not a function of his income. There should be no difference between health care for the suburbs and health care for the ghetto, between health care for the rich and health care for the poor.

Second, the program should be as broad and as comprehensive as possible, with the maximum free choice available to each health consumer in selecting the care he receives.

Third, the costs of the program should be borne on a progressive basis related to the income level of those who participate in the program.

I believe there is no need now to lock ourselves into a specific method of financing the insurance program. There are distinct advantages and disadvantages to each of the obvious alternative financing methods that have been proposed—financing out of general revenues of the Treasury, out of tax credits, out of the Social Security Trust Fund, or out of another independent trust fund that could be created specifically for the purpose.

At the present time, I lean toward a method of financing that would be based on general Treasury revenues, with sufficient guarantees to avoid the vagaries of the appropriations process that have plagued the Congress so much in recent years.

I recognize the obvious merit of the tax credit and social security approaches. In particular, Social Security financing offers the important advantage that it is a mechanism that Americans know and trust. In the thirty-five years of its existence, Social Security has grown into a program that has the abiding respect and affection of hundreds of millions of Americans. In 1966, it demonstrated its capacity to broaden its horizon by its successful implementation of the Medicare program. To many, therefore, Social Security is the obvious vehicle to embrace a program for national health insurance, and soothe the doubts and suspicions that will inevitably besiege the program when it is launched.

At the same time, however, we must recognize the obvious disadvantages of Social Security financing. Under the Social Security system, the payroll tax is heavily regressive. The poor pay far too high a proportion of their income to Social Security than our middle or upper income citizens. Today, at a time when Congress is about to grant major new tax relief to all income groups, I believe it would be especially inappropriate to finance a national health insurance program through the conventional but regressive procedures of Social Security, rather than through the progressive procedures of the Federal income tax laws.

I wish to make clear, however, that I am not now rejecting an approach that would finance national health insurance by a modified approach through the Social Security System. By the use of payroll tax exemptions and appropriate contributions from the Federal. Government, it may be possible to construct a program that will build in the sort of progression that all Americans can accept. The important point here is that we must discuss these possibilities in a national forum, and weigh the alternatives in the critical light of open hearings and national debate.

We must be candid about the costs of national health insurance. In light of our present budgetary restrictions, the price tags applied to the various health insurance programs are too high. They range from about $10 billion for ''Medicredit,'' the AMA proposal, to about $40 billion for the Reuther proposal, It is therefore unrealistic to suppose that a total comprehensive program can be implemented all at once.

We can all agree, however, that it is time to begin. In light of the fiscal reality, the most satisfactory approach is to set a goal for full implementation of the program at the earliest opportunity. I believe that the goal should be 1975. The legislation we enact should reflect our firm commitment to this target date. Halfway through the decade of the Seventies, we should have a comprehensive national health insurance, program in full operation for all Americans.

I have already stated my view that legislation establishing the program should be enacted next year. In January, 1971, we should begin to phase-in a program that will reach out to all Americans by the end of 1975, To meet that timetable, we should establish coverage in the first year—1971—for all infants, pre-school children, and adolescents in elementary and secondary schools. In each of the following four years, we should expand the coverage by approximately ten-year age groups, so that by the end of 1975, all persons up to age 85 will be covered by the program, and the existing Medicare program can be phased in completely with the new comprehensive insurance.

The idea of phasing in children first should receive wide support, both from the population as a whole and from the medical profession as well. As a nation today, the United States is the wealthiest and most highly developed medical society in the world, but we rank 14th among the major industrial nations in the rate of infant mortality, and 12th in the percentage of mothers who die in childbirth. In spite of our wealth and technology, we have tolerated disease and ill-health in generations of our children. We have failed to eliminate the excessive toll of their sickness, retardation, disability and death.

Equally important, we are already close to the level of manpower needed to implement a national health insurance program for our youth. American medicine is equal to the challenge. We have a solid tradition of excellence in pediatric training, with a strong and growing supply of experienced pediatricians, pediatric nurses, and allied manpower.

Moreover, by beginning our new program with youth and child care, it will be easier for the medical profession to implement the changes in the delivery system that must accompany any effective national health insurance program. And, the changes that we make in the delivery system for pediatric care will give us valuable experience and insights into the comparable but far more difficult changes that will be necessary in the delivery of care to adults as the insurance program is phased in over subsequent years.

Finally, by phasing in the insurance program over a period of years, I believe we can avoid a serious objection that will otherwise be raised—that national health insurance will simply exacerbate our current inflation in medical costs by producing even greater demand for medical care without providing essential changes in the organization and delivery system.

We know from recent experience that changes in the organization and delivery of health care in the United States will come only by an excruciating national effort. Throughout our society today, there is perhaps no institution more resistant to change than the organized medical profession. Indeed, because the crisis is so serious in the organization and delivery of health care, there are many who argue that we must make improvements here first, before we can safely embark on national health insurance.

I believe the opposite is true. The fact that the time has come for national health insurance makes it all the more urgent to pour new resources into remaking our present system. The organization and delivery of health care is so obviously inadequate to meet our current health crisis that only the catalyst of national health insurance will be able to produce the sort of basic revolution that is needed if we are to escape the twin evils of a national health disaster or the Federalization of health care in the Seventies. To those who say that national health insurance won't work unless we first have an enormous increase in health manpower and health facilities and a revolution in the delivery of health care, I reply that until we begin moving toward national health insurance, neither Congress nor the medical profession will ever take the basic steps that are essential to reorganize the system. Without national health insurance to galvanize us into action, I fear that we will simply continue to patch the present system beyond any reasonable hope of survival.

The need for comprehensive national health insurance and concomitant changes in the organization and delivery of health

care in the United States is the single most Important issue of health policy today. If we are to reach our goal of bringing adequate health care to all our citizens, we must have full and generous cooperation between Congress, the Administration, and the health profession. We already possess the knowledge and the technology to achieve our goal. All we need is the will. The challenge is enormous, but I am confident that we are equal to the task.

Mr. KIRK. Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time in the quorum call be divided equally between the majority and minority.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JOHNSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON. Mr. President, I rise to express my support for the Patient Protection and Affordable Care Act and to encourage my colleagues to support this effort to address our health care system's immediate and long-term challenges in a fiscally responsible manner.

For decades, attempts have been made to reform the way our health care system works, but only incremental changes have been made. The result is a broken system where costs are rising out of control and millions of Americans are priced out of the health insurance market.

In the last 8 years, health care premiums have grown four times faster than wages. If health care costs continue to rise at the current rates, without reform, it is projected that the average South Dakota family will be paying nearly $17,000 in yearly premiums by 2016. That is a 74-percent increase over the current premium costs that so many already struggle to afford.

Throughout the ongoing health reform discussion, I have heard from far too many South Dakotans who currently face barriers in accessing quality health care. This can be due to exorbitant out-of-pocket costs, having no insurance coverage, being denied coverage by insurance companies, or limited or no health care providers in their area. The Patient Protection and Affordable Care Act addresses these barriers in part by extending access to affordable and meaningful health insurance to all Americans.

This legislation stands up on behalf of the American people and puts an end to insurance industry abuses that have denied coverage to hard-working Americans when they need it most. Insurance companies will no longer be able to deny coverage for preexisting conditions and will not be able to drop coverage just because a patient gets sick. Reform will ensure that families always have guaranteed choices of quality, affordable health insurance whether they lose their job, switch jobs, move, or get sick.

The bill allows Americans to shop for the best health care plan to meet their needs and provides tax credits to help those who need assistance. It strengthens our health care workforce, improves the quality of care, and reduces waste, fraud, and abuse in the health care system.

Every American is adversely affected in some fashion by the shortcomings of our existing system, and far too many have a false sense of security. The system costs us lives, and it costs us money. If we fail to act, health care costs will consume a greater and greater share of our Nation's economy and have tremendous potential to cripple our Nation's future.

The Patient Protection and Affordable Care Act puts our Nation on a more sustainable financial path. The nonpartisan Congressional Budget Office projects that this health reform bill will reduce the Federal deficit by $130 billion in the next 10 years and as much as $650 billion in the decade after that. CBO also projects that this bill will result in health care coverage for more than 94 percent of legal residents in our Nation. Our citizens deserve this basic security, while improving current Medicare benefits.

This bill is the product of months of research, committee deliberation, and bipartisan negotiation. I have listened to some of my colleagues' claims that they support health reform yet object to this approach. These protests echo those made nearly 50 years ago when a new program called Medicare was proposed to provide meaningful health benefits to seniors. The increasing cost of health care is unsustainable and the do-nothing approach hurts all Americans by robbing us of this historic opportunity to stop talking about the problems and finally find a solution.

This bill is not perfect, but a ''yes'' vote will allow the conference committee a chance to improve it. The United States is the only Nation among industrialized democracies to not have some form of national health care. Yet the Senate Republican Party is attempting to deny us the right to vote this historic legislation up or down. They want to kill it even before it has the chance to go to conference.

I urge my colleagues to support the Patient Protection and Affordable Care Act.

Mr. President, I ask unanimous consent that the time be charged equally.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio is recognized.

Mr. VOINOVICH. Thank you, Mr. President. I have been coming to the floor to remind my colleagues and the American people about the fiscal realities our Nation faces and to explain how this health reform legislation would make our fiscal situation worse and our economy suffer even more. I have been here before to highlight how this health care bill is chock-full of budget gimmicks to hide its true unmanageable costs.

As I have said before on the floor of the Senate, as a former mayor and a former Governor, many people have come to me over the years and said: Mayor, you have to do this; Governor, you have to do this. The plea they had was genuine, and the need they expressed was genuine, but the fact is we couldn't afford what they were asking us to do, and I had to say no. Unfortunately, this legislation, in my opinion, will increase the cost of health care, drive up our national debt, and contribute to unbalanced budgets as far as the eye can see in the United States.

As a former Governor and chairman of the National Governors Association, the past chairman of the National League of Cities, one gimmick I am particularly concerned about is the one that puts 14 million additional individuals into the Medicaid Program and then asks the States to pick up a portion of the tab. I am very familiar with what unfunded mandates can do to State and local governments, and I wish to highlight some of the potential consequences of the Medicaid expansion for my colleagues.

At a $374 billion cost to Federal taxpayers, the health care bill before us would expand Medicaid coverage to all people under 133 percent of the Federal poverty level. Because Medicaid costs are shared by the Federal and State governments, the States will be on the hook for $25 billion of this expansion during the first 10 years.

To put the $25 billion into perspective, let me spend a minute explaining the current fiscal situation of most States in this country. Most States such as my State—and I am sure the same is true in the Presiding Officer's State—are struggling to make ends meet. I have never seen anything like it in my entire life.

According to the National Governors Association, the States are in the deepest and longest economic downturn since the Great Depression. In the first two quarters of 2009, State revenues were down 11.7 and 16.6 percent, respectively. At the same time, Medicaid spending is growing, which already makes up, on average, approximately 22 percent of States' budgets, and enrollment in the program is skyrocketing at the levels it is today because more and more people are becoming eligible for Medicaid under the current Federal law.

In Ohio, for example, where the unemployment rate is hovering around 10.5 percent, 154,000 Ohioans enrolled in the Medicaid Program in the last year alone, an 8-percent increase over last year. This is hard to believe, but Medicaid now provides health coverage to nearly 2 million Ohioans, almost one out of five residents. Unbelievable.

Recognizing this increased demand, States have had some help from the Federal Government. Earlier this year,

Congress provided $87 billion in Federal aid to States in the so-called stimulus bill to help States deal with Medicaid costs. Yet this money was not intended to last forever. As it stands right now, in December 2010, States will face—that is next December—States will face a steep budget cliff when the temporary Medicaid payments coming from the stimulus package expire. In facing these realities, Governors across the country are already wondering how they will cover the cost of their existing programs.

I recently met with Ray Scheppach, who is the executive director of the National Governors Association. He said: Senator, Governor, Mayor, we are going to need some help when the money runs out or we will not be able to handle the Medicaid challenges we have.

Not surprisingly, my State's current Governor, Ted Strickland, a Democrat, has told me if Medicaid is expanded, he hopes the Federal Government will assume most, if not all, the costs. In fact, he told the Columbus Dispatch that he has warned officials in Washington that ''with our financial challenges right now, we are not in a position to accept additional Medicaid responsibilities.''

I suspect that almost every Governor in the country would make that same statement to us in the Senate. By the way, this is both Republican and Democratic Governors.

I ask: How can we in good conscience move forward with this bill and the new mandate it places on States? How can we force the States to make the difficult choices that we are unwilling or unable to make in Washington? Pass it on to them, we will pay for it a while, and then you guys pick up the cost.

I served the people of Ohio as Governor for 8 years, and I was forced to cut my budget in the beginning four times. I will never forget it. There were about 5,000 people outside my office screaming because we had made it more difficult or increased the cost of tuition for our colleges. I had to make countless difficult decisions across the board to be fiscally responsible. I understand the demands of soaring health care costs, and as I called that program then, it devoured—Medicaid devoured up to 30 percent of our State budget, and I referred to it as the Medicaid Pac-Man. I think some people remember Pac-Man. That was the Pac-Man just eating up money like crazy. It took away money from primary and secondary education, higher education, roads, bridges, county and local government projects, and safety service programs that we wanted to provide for the citizens of Ohio. We had to do it. It was a mandate. It just sucked up that money, and that meant we didn't have money for higher education, secondary and primary education, and some of the other responsibilities of the State.

With this experience, I became particularly concerned with the cost of Federal mandates, and I worked tirelessly with State and local governments to help pass the Unfunded Mandates Reform Act. In fact, the first time I ever set foot on the floor of the Senate is the day the unfunded mandates bill passed the Senate. It was a wonderful day for Ohio and for this country. I was in the Rose Garden representing State and local governments when President Clinton signed the legislation into law in 1995.

After that experience, you can imagine how it pains me to be standing here today debating legislation that provides for the largest single expansion of the Medicaid Program in our country's history and a brandnew fiscal liability for States at a time when the States can least afford it. I have serious concerns if this bill becomes law and States are required to take on more just as the extra stimulus funds disappear—which they are going to have to do or we will have to come up with the money—Congress will be forced to spend billions more to keep the Medicaid safety net from failing completely in the not too distant future.

So what I am basically saying is that when the stimulus money ends in December of next year, the Governors are going to be down here with a bathtub asking us to fill it because if we don't do it, they are going to have to knock off thousands of people, millions in the country, because they don't have the money to provide for the program.

Now, providing extra dollars to States—and I predict it is going to happen. It will become an annual ritual for Congress, just as the doctors fix has become an annual ritual for doctors. Every year they come in. We are not going to cut the annual reimbursement. Next year it is 23 percent, I think. We are not going to fill the hole, and the Governors are going to be asking for the same kind of help. It is not only a mandate for them, it is going to become a mandate for us at a time when we are least able to handle anything like that.

So as a former Governor and a former mayor, a former county commissioner, I urge my colleagues to consider the impact this bill will have on their respective States. Think about it. Talk to your Governors. See what it is going to do to your States. I hope each of my colleagues will give careful thought to the potentially devastating effects it could have on each of their State budgets and to consult, as I said, with their Governors and to talk about the fact that if this happens, what is going to happen in terms of the Pac-Man eating up more money in their State and their inability to take care of primary and secondary education, higher education, and all of the other responsibilities State governments have.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, I rise today to address the Department of Defense appropriations bill for fiscal year 2010.

As my colleagues know, this afternoon the Senate received this measure from the House which represents a compromise between the bill passed by the House last July and what we passed this past October.

Since passage of the Senate measure, Vice Chairman COCHRAN and I and our staffs have spent countless hours in discussion with our colleagues in the House to thrash out the differences between our two bills. The product the Senate will consider represents the work of our discussions. While this is a House measure, I can assure my colleagues it is a very fair and balanced product.

The Defense appropriations portion of this measure totals $636.3 billion in discretionary spending, including more than $128 billion for the cost of our ongoing efforts in Iraq and Afghanistan.

In total, the Defense bill is $3.8 billion below the request of the President and within the subcommittee's allocation.

This bill represents the hard work over the past year of all the members of the Defense subcommittee. It contains funds that we believe will best meet the needs of the men and women who volunteer to serve our Nation in the military. The bill provides funding to increase their pay by 3.4 percent. It provides more than $30 billion to care for their health and the health of their families.

It provides support to families with loved ones serving in harm's way overseas and funding to ensure that their workplaces and quality of life back home are protected.

Of equal importance, the funding in this bill ensures that our forces in the field have the equipment and other tools required to meet their missions. Funding has been added to the President's request to provide for more MRAP vehicles to protect our forces from IEDs in Afghanistan.

Funds are provided for more medical evacuation and combat rescue helicopters to save our wounded troops. Funds have been added to sustain production of the C–17 Program so our forces in the field can be adequately resupplied, no matter where they are based.

This bill enhances research in lifesaving technologies and increases funds to care for our wounded personnel. It fully funds the priorities of Secretary Gates and our military commanders.

While I know some will criticize the fact that funds have been included at the request of Members of Congress, I remind my colleagues that, in total, this amount is less than 1 percent of the funding in the bill.

Moreover, all the so-called earmarks in the defense portion of this bill were in either the House or Senate bills. There are no ''airdropped'' earmarks in the defense funding included in this measure.

In addition to the defense portion of the bill, the House has added a little

more than 1 dozen provisions to provide a 2-month safety net to unemployed and nearly impoverished Americans and to extend critical provisions which are set to expire this month.

For individual Americans, provisions were included to extend, through February 28, 2010, expiring unemployment insurance benefits that were established in the American Recovery and Reinvestment Act.

Likewise, provisions were included to extend the 65-percent COBRA health insurance subsidy from 9 to 15 months for individuals who have lost their jobs and to extend the job lost eligibility date also through February 28, 2010.

Further, a provision was included to freeze the Department of Health and Human Services' poverty guidelines at 2009 levels in order to prevent a reduction in eligibility for programs such as Medicaid, food stamps, and school lunch programs through March 1 of next year.

This provision keeps struggling families from falling through the cracks.

In addition, provisions were included to provide $125 million to extend the Recovery Act program for small businesses. The program reduces lending fees charged to borrowers under the Small Business Administration's guaranteed loan programs and increases the Federal guarantee on certain small business loans.

The Recovery Act supported a resurgence in SBA small business lending, but funds were exhausted in November. The additional funding in this bill will help support lending for small businesses during the economic recovery by continuing fee relief for borrowers and encouraging lenders to extend credit to small businesses.

Further, this bill includes a short-term extension of the highway, transit, highway safety and truck safety programs. Without this extension, the highway program would be brought to a standstill and the Department of Transportation would be unable to reimburse States for eligible expenses.

In addition, several agencies—including the Federal Highway Administration, the National Highway Traffic Safety Administration, and the Federal Motor Carrier Safety Administration—would not have the funds necessary to pay their employees.

This is not your typical end-of-the-year Christmas tree; to the contrary, it is the bare minimum of programs which must be continued to provide for our less fortunate and our struggling small businesses.

It also allows for a 2-month extension of laws such as the PATRIOT Act, in order to allow more time for our authorizing committees to come to agreement on more permanent legislation.

The House has passed a compromise measure and forwarded it to the Senate because of the calendar. Today is December 16, and our Department of Defense has been operating on a continuing resolution for more than 2 months.

It is time we get on with the process and get this bill to the President. It is a good measure. Our troops deserve our support. Let's show we support those who volunteered to serve all of us by voting today to send this bill to the President.

As I close, I wish to thank the Defense Subcommittee staff for their dedication and hard work in putting this bill together. I wish to put into the RECORD the names of these staff members who have worked on this bill in a bipartisan fashion. They are:

Charlie Houy, Nicole Diresta, Kate Fitzpatrick, Katy Hagan, Kate Käufer, Ellen Maldonado, Rachel Meyer, Erik Raven, Gary Reese, Betsy Schmid, Renan Snowden, Bridget Zarate, Rob Berschinski, Stewart Holmes, Alycia Farrell, Brian Potts, Brian Wilson and Tom Osterhoudt.

Mr. President, it is my pleasure and privilege to be chairman of the committee. It is a great honor. I wish to make certain we express our gratitude to all these staff people. Without them, I would not be standing here at this moment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I am glad I was here to hear the remarks of the distinguished Senator from Hawaii. I serve on that subcommittee of Defense Appropriations with him and get to observe, at close range, the skill and effort and courtesy that is reflected in his service as chairman of our committee. It is a pleasure to serve with him and it is an honor. He has provided leadership and cooperation in working with all Senators—not just members of our committee—to move forward in carrying out of duties by the Department of Defense through our appropriations process.

It is very important that the Senate approve, as soon as possible, the funding that is contained in the bill that our committee has reported to the Senate. It will help support and provide the resources necessary to carry out the missions of our men and women have in Afghanistan, Iraq, and around the world, safeguarding our freedom, protecting our security interests.

The Department of Defense is now operating under a continuing resolution that expires on Friday. This is an inefficient way of managing the support for our Department of Defense. It causes too much effort to be made by employees and men and women in the Defense Department, focusing on management, how to manage day-to-day operating expenses dealing with the challenges that too few dollars are provided in a way that gives people time to plan and then execute efficiently their missions and responsibilities.

This affects the support that is available to the men and women who are overseas and in harm's way.

The act contains funds necessary to provide medical care as well as family support for members of our Armed Forces and their families. During this time of war, it is very important that every effort be made to provide good medical care for those who are injured and wounded serving our country.

It is also important we support the families. There are funds in this legislation that do just that, trying to address the stresses that are associated with combat and deployment and separation.

I am disappointed the normal process has been circumvented, or at least delayed, and the other body has not appointed conferees to the Defense Appropriations conference committee. It is a disappointment also that the Defense Appropriations bill is used as a vehicle to move other initiatives that seem to be slowing down the process. These measures should be considered separately and addressed in a more thoughtful way, based on their own merits, not on the legislation they are tied to, to carry them through the legislative process.

I think attaching nondefense-related legislation to the Defense Appropriations Act for this fiscal year has been a mistake. It has been unnecessary, unfortunate, and it has resulted in delays and uncertainty.

I am sure there are Senators who can make suggestions for improving this bill. We are open to hear those concerns and do our best to respond to the suggestions from all Senators. We don't individually support all aspects of the agreement, but we think that, in total, it is a good bill. It ought to be passed, and it ought to be passed as soon as possible in recognition of our respect for our service members and their families.

Mr. INOUYE. Mr. President, there is nothing in rule XLIV which governs a message between the Houses in regard to disclosing earmarks. However, as chairman of the Appropriations Committee it is my belief that the committee should none the less attest that all earmarks have been fully disclosed. Accordingly I note that in the bill H.R. 3326 as passed by the House and explained in the statement offered by the chairman of the Subcommittee on Defense of the House of Representatives on December 16, 2009, each earmark in the bill has been disclosed in accord with rule XLIV.

Mr. CONRAD. Mr. President, section 401(c)(4) of S. Con. Res. 13, the 2010 budget resolution, permits the Chairman of the Senate Budget Committee to adjust the section 401(b) discretionary spending limits, allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, and aggregates for legislation making appropriations for fiscal years 2009 and 2010 for overseas deployments and other activities by the amounts provided in such legislation for those purposes and so designated pursuant to section 401(c)(4). The adjustment is limited to the total amount of budget authority specified in section 104(21) of S. Con. Res. 13. For 2009, that limitation is $90.745 billion, and for 2010, it is $130 billion.

The Senate is considering H.R. 3326, the Department of Defense Appropriations Act, 2010. That legislation includes amounts designated pursuant to section 401(c)(4). Since this is the last of the 12 regular appropriations bills for 2010, I am revising previous adjustments made to the discretionary spending limits and the allocation to the Senate Committee on Appropriations for discretionary budget authority and outlays to reflect the final amount of designations made pursuant to section 401(c)(4). When combined with all previous adjustments, the total amount of adjustments for 2010 is $130 billion in discretionary budget authority and $101.178 billion in outlays. In addition, I am also further revising the aggregates for 2010 consistent with section 401(c)(4) to reconcile the amount of outlays estimated by the Congressional Budget Office for designated funding with the amount originally assumed in the 2010 budget resolution.

I ask unanimous consent that the following revisions to S. Con. Res. 13 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 401(c)(4) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2009	1,532.579
FY 2010	1,623.888
FY 2011	1,944.811
FY 2012	2,145.815
FY 2013	2,322.897
FY 2014	2,560.448
(1)(B) Change in Federal Revenues:	
FY 2009	0.008
FY 2010	−42.098
FY 2011	−143.820
FY 2012	−214.578
FY 2013	−192.440
FY 2014	−73.210
(2) New Budget Authority:	
FY 2009	3,675.736
FY 2010	2,910.707
FY 2011	2,842.766
FY 2012	2,829.808
FY 2013	2,983.128
FY 2014	3,193.887
(3) Budget Outlays:	
FY 2009	3,358.952
FY 2010	3,023.691
FY 2011	2,966.921
FY 2012	2,863.655
FY 2013	2,989.852
FY 2014	3,179.437

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 401(c)(4) TO THE ALLOCATION OF BUDGET AUTHORITY AND OUTLAYS TO THE SENATE APPROPRIATIONS COMMITTEE AND THE SECTION 401(b) SENATE DISCRETIONARY SPENDING LIMITS

[In millions of dollars]

	Initial Allocation/Limit	Adjustment	Revised Allocation/Limit
FY 2009 Discretionary Budget Authority	1,482,201	0	1,482,201

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 401(c)(4) TO THE ALLOCATION OF BUDGET AUTHORITY AND OUTLAYS TO THE SENATE APPROPRIATIONS COMMITTEE AND THE SECTION 401(b) SENATE DISCRETIONARY SPENDING LIMITS—Continued

[In millions of dollars]

	Initial Allocation/Limit	Adjustment	Revised Allocation/Limit
FY 2009 Discretionary Outlays	1,247,872	0	1,247,872
FY 2010 Discretionary Budget Authority	1,219,651	1	1,219,652
FY 2010 Discretionary Outlays	1,376,195	−157	1,376,038

The PRESIDING OFFICER. The Republican leader is recognized.

SETTING PRECEDENT

Mr. MCCONNELL. Mr. President, I rise to make some observations about a matter that occurred in the Senate earlier this afternoon.

The plain language of the Senate precedent, the manual that governs Senate procedure, is that unanimous consent of all Members was required before the Senator from Vermont could withdraw his amendment while it was being read—unanimous consent.

Earlier today, the majority somehow convinced the Parliamentarian to break with the longstanding precedent and practice of the Senate in the reading of the amendment.

Senate procedure clearly states:

> Under rule 15, paragraph 1, and Senate precedents, an amendment shall be read by the clerk before it is up for consideration or before the same shall be debated unless a request to waive the reading is granted.

It goes on to state that:

> . . . the reading of which may not be dispensed with, except by unanimous consent, and if the request is denied, the amendment must be read and further interruptions are not in order.

Nothing could be more clear.

You may have heard that the majority cites an example in 1992 when the Chair made a mistake and allowed something similar to happen. But one mistake does not a precedent make.

For example, there is precedent for a Senator being beaten with a cane in the Senate. If mistakes were the rule, then the caning of Senators would be in order. Fortunately for all of us, it is not.

It is now perfectly clear that the majority is willing to do anything—anything—to jam through a 2,000-page bill before the American people or any of us have had a chance to read it, including changing the rules in the middle of the game.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I rise today to speak about the decision to move the remaining detainees held at Guantanamo Bay Naval facility, or Gitmo, to the Thomson Correctional Center in Illinois.

The decision to transfer Gitmo detainees to the heartland of our country is irresponsible, a waste of taxpayer dollars, and contrary to the wishes of the American people.

Congress has included language permitting the transfer or detention of Gitmo detainees to the United States only under certain limited conditions in every relevant appropriations bill passed this year, including the recently passed Omnibus Appropriations Act. That is one of the reasons I voted against every single one of those bills.

The President now has made the decision to purchase the Thomson Correctional Center from the State of Illinois for the purpose of transferring and detaining Gitmo detainees.

Further, the President stated he will need to expend millions of additional dollars renovating and securing the facility when much has already been invested in the state-of-the-art facility at Guantanamo Bay. This unnecessary spending is an abuse of our tax dollars and one that holds dire national security consequences.

The administration claims that many of these detainees will continue to be held by the military in the same prison where the Department of Justice will hold average, ordinary criminals. What the administration fails to tell the American people is that these detainees will obtain the same rights as U.S. citizens the moment they step inside the United States. We have already seen detainees attempt to gain these same rights as Americans in our courts and have seen the courts grant them limited rights without them being inside the United States.

In habeas corpus cases where the court has ruled, 30 out of 38 Gitmo detainees have been found to be unlawfully detained and their release has been ordered. After reviewing the classified biographies on some of these individuals, it is clear from these decisions that the courts are not in a position to judge matters of war and cannot when they are bound by our criminal justice system. It is not designed to handle war criminals.

The courts do not adequately consider the threat these individuals pose to U.S. interests or will pose in the future when they return to terrorism. President Obama cites the authorization for the use of military force as legal justification for continuing the detention of these terrorists. However, the courts have already indicated that these detainees cannot be indefinitely held. I wonder if the administration considered this when it decided to move Gitmo detainees to the United States.

This administration may face the same problem as the last administration did in justifying to a U.S. court the continuing detention of these terrorists. Only this time, the court will have a remedy.

It is foreseeable that some, and possibly many, of those detainees will be ordered released by our courts. The administration has tried to assure the public that our immigration laws will prohibit the release of those individuals into the United States. But, once again, this administration fails to appreciate the limits of our legal system.

Once these detainees are physically present in the United States, prior judicial precedent indicates that the government can only detain an individual while immigration removal proceedings are ongoing for a maximum of 6 months. If a detainee cannot be transferred or deported, they will be released, freed into the United States, after 6 months. This is much more than just moving Guantanamo north.

On the other hand, if the administration is able to secure the transfer of these detainees to another country, we can be sure to watch the recidivism rates rise. The Department of Defense's last unclassified fact sheet on recidivism reported that 14 percent of the former Gitmo detainees returned to terrorism after their release or their transfer. This is almost one out of every seven detainees transferred. This number is much larger now after 8 months and countless transfers of the most serious terrorists.

Some of the detainees transferred openly admit their affiliation with a terrorist organization or that they were combating U.S. forces in Afghanistan. Confirming this, two former Gitmo detainees transferred to Saudi Arabia announced earlier this year that they were now the leaders of al-Qaida in the Arabian peninsula. Another detainee, Ali bin Ali Aleh, lived with Abu Zubaydah in Pakistan and was identified on a list of names in Khalid Shaikh Mohammed's possession when KSM was captured. Ali bin Ali Aleh was determined not to be an enemy combatant and ordered to be released by a U.S. court in May of this year. He was transferred to Yemen in September.

Maybe some of my colleagues have seen the recent headlines indicating that some European countries are willing to accept these detainees. In fact, detainees have recently been transferred to Belgium, Ireland, Hungary, and Italy. However, the American people are not fooled by these headlines. Of the 779 detainees held since 2001 at Guantanamo Bay, our European partners have accepted only 37. The vast majority of detainees—almost 400—have been transferred to four countries: Afghanistan, Saudi Arabia, Pakistan, and Yemen. These four countries are either currently in conflict or actively combating al-Qaida. In all four of these countries, the threat from al-Qaida and associate militants has done nothing but increase over the past few years. Yet the United States is sending back hundreds of terrorists to the most volatile regions of the world—South Asia, which poses the greatest terrorist threat currently to the homeland and to the Arabian peninsula, which I believe will present itself as the next greatest threat to the United States.

The decision to move these terrorists to the United States may force the administration to choose between freeing terrorists into Illinois or transferring them back to the center of the battle. Is this the policy position we want to put our country in while we are still combating terrorism?

No one doubts the security of our prisons to safely hold these individuals. I doubt the ability of our laws and judicial system to ensure that these terrorists are convicted or kept in prison. Prohibiting the detainees from entering the United States is the only guarantee. However, the decision to move the remaining terrorists at Gitmo to the heart of this country shattered any remaining hope for this guarantee. This is yet another step in a series of poor policy decisions which is leading our country in the wrong direction.

I am disappointed by this decision, obviously. But I can only imagine how the residents of Illinois feel about it. I know Georgians would not be pleased with housing over 200 of the most serious and hardened terrorists in the world in their backyard.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I wish to respond to my friend from Georgia, who just stepped off the floor, about the transfer of detainees from Guantanamo because he misstated a few things that I do not want to stay on the record.

First, he suggested that these detainees would be freed in Illinois. Not so. The plan of this administration is not to free them; the plan is to imprison them in the most secure prison in the United States of America. It is in Thomson, IL, 150 miles from Chicago. I was there a few weeks ago. It is a supermax prison built 7 years ago and never fully occupied. Now they are going to build an additional fence around it. It will be more secure than any prison in America. They will be freed into the most secure prison in America and they are not coming out until such time as there is a resolution of whatever their issues may be or they pass away.

I might also say that the current law in the United States prohibits the President of the United States from releasing these detainees in the United States. Those statements by the Senator from Georgia are just flat incorrect.

He is entitled to his position—and others share it—that we should not close Guantanamo. I believe we should. On my side of this argument would be the following people who have called for the closure of Guantanamo: President George W. Bush; Secretary of State and former Chairman of the Joint Chiefs of Staff Colin Powell; Secretary of Defense under President Bush and under President Obama, Robert Gates; former Secretary of State and domestic policy adviser Condoleezza Rice; GEN David Petraeus, and 33 other generals, in addition to President Barack Obama.

This argument that closing Guantanamo endangers the United States ignores the obvious. The people entrusted with the responsibility of protecting the United States have called for the closure of Guantanamo. Yesterday, Robert Gibbs, press secretary to President Obama, was asked about this decision to transfer. He said that on more than 30 occasions—I am not sure of the timeframe, whether it was this year or a longer period of time—but on more than 30 occasions, they have found direct linkage of terrorist recruitment activity and the use of Guantanamo as an illustration of why people needed to convert to terrorism around the world. It is still being actively used for recruitment.

If the Senator from Georgia would go back a few weeks and read Newsweek magazine, one of their reporters was captured in Tehran and held in captivity for almost 4 months. He told a story of how he was first incarcerated in a prison in Tehran. As he arrived, his jailer said to him: Welcome to Abu Ghraib and Guantanamo, American.

So for us to believe that the rest of the world does not have a negative image of Guantanamo and it is not being used against our troops is to ignore the obvious.

There are some in this body who are hidebound to keep Guantanamo open at any costs. I will tell you, the cost is too high. If the continuation of Guantanamo means danger to our troops, we owe it to them to close it. Presidents have reached that conclusion, people in charge of national security have reached that conclusion, and we should as well.

Then there is this notion about the danger of incarcerating terrorists in the United States. For the record, over 350 convicted terrorists are currently imprisoned in the United States, all over the United States. In my home State of Illinois, 35 convicted terrorists are in prison today. The most recent incarceration involves a man arrested shortly after 9/11 in Peoria, IL, an unlikely hotbed of terrorism and spy activity, but, in fact, this man going to school in Peoria, IL, through his communications was linked with al-Qaida. He served time in a Navy brig in South Carolina, if I am not mistaken, and eventually was tried in the courts of Peoria, IL, convicted and now incarcerated in Marion, IL, in southern Illinois.

I heard not one word of criticism when this took place under the previous administration. The belief was this man had to answer for the crimes he was charged with and serve time in our prison system as a result of it. Never—not once, not one time—did I ever hear any Congressman of either political party say: Boy, it is unsafe to try him in Peoria or it is unsafe to incarcerate him in southern Illinois. It has never been said.

What happens to these people when they go into our supermax prisons, where no one has ever escaped? They disappear, as they should. They are where they ought to be—isolated and away from causing harm to anyone.

When President Obama was looking for an alternative to Guantanamo, we came forward. One of the mayors of a small town in Illinois—Thomson, IL—with just several hundred people living there, wrote to the Governor of our State and to me and said: I have a big old prison the State built and never opened—built it in 2001. It has the capacity of several thousand prisoners, and the State could never afford to open it. We had hoped that this prison would create a lot of local jobs for us. Can you find a use for it at the Federal level?

The Obama administration took a hard look at this for a long period of time. Part of it was done confidentially, and then they came out publicly and said: We are seriously interested.

The Senator from Georgia said earlier: Well, the people of Illinois are against this.

Well, I would say to my friend from Georgia, come on down to Thomson, IL. Come down and see the people who are overwhelmingly supportive—and not just Democrats, believe me. Local State representative Jim Sacia is a Republican and a former FBI agent. He said we would be idiots not to take this offer from the Federal Government. He is right. Three thousand jobs. I don't know that there is a Senator here if you said to him: Would you be interested in 3,000 jobs in the midst of a recession, who wouldn't stand up and say: Let's talk.

Well, we did. So it is 3,000 new jobs at this prison when it is opened as part of the Bureau of Prisons and part of the Department of Defense.

How many Guantanamo detainees will be sent there? Fewer than 100. We have 35 in our prisons already. Life has not changed in my home State of Illinois, nor has it changed in any other State where they are incarcerated. It would not change in Thomson, IL. These people can be held safely and securely. I trust our men and women in the military to do that, and the Members of the Senate should do so as well.

These 3,000 jobs are going to be a Godsend to an area with 11 percent unemployment. First, there will be a lot of construction jobs, and we can use those. Those are good-paying jobs for Americans right here at home. Then those who work for the Bureau of Prisons are going to be paid a good salary and receive good benefits, the kind of salary you can use to build a family, a community, a neighborhood. These will be people who will be buying homes—3,000 of them. They will be buying homes, cars, shopping for appliances, and going to the local shopping malls. Is that going to be good for the economy? You bet it is. It is just what we need, and it is just what this area of the State wants. This argument that we somehow will oppose it is just wrong.

There is a local Congressman, who is a friend of mine—a Republican Congressman—who opposes it. We have talked about it. We just don't see eye to eye on it. But even in Rockford, IL, the largest city in his district, which is northeast of Thomson, the city council in Rockford passed a resolution of approval of this Thomson prison, 12 to 2. In county after county, State and local governments—I should say local county governments, are coming out in favor of this Thomson prison. Those who come to the Senate floor and argue otherwise don't know the facts. When they know the facts, they will realize we are prepared to do this.

Now the question is whether the Senate will stand behind the President, stand behind our security advisers who believe this is in the best interest of the United States. I think it is. It isn't the first time Illinois has been called on to do something extraordinary for our country. The first supermax prison in our Federal system was built in Marion, IL, years and years ago. There was controversy. This was the most secure prison in America. But I will tell you, the people of southern Illinois rallied behind it. It has been a prison with a lot of great professionals who have worked there. They have done their jobs and done them well.

When I go down to Marion, IL, and talk to them about Guantanamo detainees, they say: Senator, listen. Send them here. We will take care of them. We can point out among those who are incarcerated at Marion prison those who were engaged in al-Qaida terrorism, Colombian drug gangs, Mexican drug cartels, some of the meanest, toughest most violent gang bangers from the cities in the Midwest—and they are held safely every day.

I will tell you, when I hear people say they do not trust our prison system to hold a handful or 50 or whatever the number may be—less than 100—of these Guantanamo detainees, they ought to meet the men and women who do it every single day in America, and do it well. They should realize these detainees will be held by our military, the Department of Defense employees. Those are the ones we can trust to do it.

So I would urge my friends and others who have spoken earlier—Senator MCCONNELL came to the Senate floor earlier. It has become, unfortunately, a party position now that it is a bad idea. Earlier, Senator MCCAIN and Senator GRAHAM on the Republican side of the aisle didn't argue against the transfer of these detainees. They understand these prisoners aren't larger than life. They have been in prison for 8 years. Frankly, I don't know how much longer they will stay there. But as long as they are a threat to the United States, they will.

Madam President, I would like to at this point address an issue which came up earlier on the Senate floor.

Something unusual happened on the floor of the Senate today, Madam President. It happens but rarely. Under the rules of the Senate, amendments and bills can be read, if a Member requests, and we usually ask unanimous consent to dispense with the reading. And, routinely, that is done. It is done every day on scores of different things.

Today, Senator SANDERS of Vermont offered an amendment near and dear to his heart on single-payer health care reform, and it turned out to be a voluminous amendment—800 pages long. When the time came to ask consent that it not be read, there was an objection from Senator COBURN of Oklahoma. He insisted that it be read. Our poor clerking staff up here—the clerks of the Senate—started reading this bill, and they read on for almost 2 hours or more.

As they were reading it, it came to our attention that Senator SANDERS of Vermont had authority under the Senate rules to withdraw his amendment and to stop the reading of the amendment.

I wasn't aware of that because I can't recall that has ever happened since I have been here. But I made a point—since many years ago I was a parliamentarian of the Illinois State Senate and tried to at least read the rules from time to time—to turn to rule XV, section 2, in the Standing Rules of the Senate, and here is what it says:

> Any motion, amendment, or resolution may be withdrawn or modified by the mover at any time before a decision, amendment or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

In other words, until action was taken on the Sanders amendment, he had the authority under rule XV, paragraph 2 to withdraw his amendment, which he did.

Some have come to the floor and protested and said this was extraordinary, and it can't be backed up by the Senate rules. But I refer them to this rule, which is explicit, and that no action had taken place on this amendment other than the introduction of the amendment and reading. So, as it says here, ''any time before a decision, amendment, or ordering of the yeas and nays.'' I think that is a clear case.

I have since read an earlier ruling by the Chair relative to the same rule that goes back several decades, so the ruling of the Chair today, or at least the finding of the Chair, was consistent with the rules of the Senate. But the strategy that came out in the ordering of this amendment to be read is pretty clear when it comes to health care. The Republican strategy is clear to anyone who is watching the debate: They do not want amendments. In fact, they just don't want us to vote on health care reform. There comes a time when people make the best arguments they can and the Senate makes a decision, and that is what we are facing. That is what we want. We would like to do that in a timely fashion.

Members here believe we can do that in a responsible way and move this health care reform bill to a point of a vote—a cloture vote, with a 60-vote requirement—and do that in a way that we can find the sentiment in the Senate on this important measure and just maybe go home for Christmas, which a lot of us would like to do. We have been away from our families for quite a while.

During the course of this debate, we have been spending a lot of time on the bill itself. I usually like to give people an idea by holding up this 2,074-page bill. It took a lot of work to get to this point. The managers' amendment to this will be several hundred pages, I imagine.

People say: Why is it so big? It is big because we are changing the health care system in America, which is one-sixth of our economy. You can imagine all the different moving parts in this complicated health care system that we address with this bill.

During this period of time, the Republicans have not offered any alternative or substitute. I thought that would be their first motion, to come forward and say: That is the Democratic plan to change the health care system in America, but you should see the Republican plan, how much better it is. They didn't do that because there is no Republican alternative. There is no Republican substitute.

Last week, when I went to the Senate Republican Web site—and I invite people to do the same—I found there was only one bill printed there on health care reform. It was the Democratic bill, not any bill that has been offered by the Republican side. The reason is this is hard work. Putting a bill like this together, getting experts to look at it and decide whether it is going to save money or cost money, it takes time. We have taken that time to do it, and do it right, and they have not. So they are either not up to the challenge of preparing an alternative bill, or they are content with the current system.

I guess some people are content with the current system. Among those who are content with it are the CEOs of health insurance companies. They like this system. They make a lot of money. They do it at the expense of a lot of people who need health care and end up being turned down. So, unfortunately, the Republicans have no constructive proposals to improve our bill. Each and every amendment, almost without exception, has been to send the bill back to committee; to stop working on it, and let's do this another day. All they want to do on the bill is to delay it, as they tried to do today with the reading of the Sanders amendment.

Senator JUDD GREGG of New Hampshire is a friend of mine. He and his wife Kathy and my wife Loretta and I have traveled together on official business of the Senate. I like him. He is a smart guy. He is going to retire, and he, in his wisdom, decided to leave a playbook for the Republican side of the aisle, which they shared. It is page after page of ways to slow down and stop the Senate from acting. Senator GREGG is entirely within his rights as a Senator to do it. What I read in his memo was accurate, but the intent and motive are clear: He wanted to stop this bill from moving in order, and that became the real cause on the Republican side of the aisle. They took a page out of Senator GREGG's playbook today with Senator COBURN's demanding the amendment be read. But it didn't work.

Madam President, I ask unanimous consent to have printed in the RECORD a colloquy between former Senators Adams and Packwood on the floor of the Senate on September 24, 1992.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TAX ENTERPRISE ZONES ACT

(Senate—September 24, 1992), [Page: S14919]

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. The Senator from Washington is recognized.

AMENDMENT NO. 3173

(Purpose: To amend the Internal Revenue Code of 1986 to deny the benefits of certain export subsidies in the case of exports of certain unprocessed timber, and to establish rural development programs for certain rural communities and small businesses that have been adversely affected by a declining timber supply and changes in the timber industry in the Pacific Northwest)

Mr. ADAMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. Adams] proposes an amendment numbered 3173.

Mr. ADAMS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

Mr. PACKWOOD. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will read the amendment.

The assistant legislative clerk continued reading the amendment.

Mr. ADAMS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. PACKWOOD. I object.

The PRESIDING OFFICER. Objection is heard.

Mr, ADAMS. Mr. President, parliamentary inquiry? I have a parliamentary inquiry of the Chair. Is it in order, during the reading of the amendment, without it being dispensed with, for the floor leader and the opponent of the amendment to have a discussion?

The PRESIDING OFFICER. The regular order, as the Chair is advised by the Parliamentarian, is that the amendment is to be read because objection has been heard to the unanimous-consent request.

The clerk will read the amendment.

The assistant legislative clerk continued reading the amendment.

Mr. ADAMS. Mr. President, I ask permission to withdraw the amendment.

The PRESIDING OFFICER. The Senator has a right to withdraw the amendment.

Mr. ADAMS. I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The amendment (No. 3173) was withdrawn.

The text of the amendment (No. 3173) is as follows:

At the end of title VIII, insert the following new sections:

Mr. DURBIN. Incidentally, Madam President, that is the colloquy I referred to earlier where the Chair made exactly the same ruling on that day as was made today, the finding in terms of rule XV, paragraph 2.

I also ask unanimous consent to have printed in the RECORD the memorandum prepared by Senator GREGG for the Republican side of the aisle concerning the rights of the minority in the Senate, which I have mentioned earlier, and largely includes the rights to slow down and stop the activity of the Senate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FOUNDATION FOR THE MINORITY PARTY'S RIGHTS IN THE SENATE (FALL 2009)

The Senate rules are designed to give a minority of Senators the right to insist on a full, complete, and fully informed debate on all measures and issues coming before the Senate. This cornerstone of protection can only be abrogated if 60 or more Senators vote to take these rights away from the minority.

I. Rights Available to Minority Before Measures are Considered on Floor (These rights are normally waived by Unanimous Consent (UC) when time is short, but any Senator can object to the waiver.)

New Legislative Day, An adjournment of the Senate, as opposed to a recess, is required to trigger a new legislative day. A new legislative day starts with the morning hour, a 2-hour period with a number of required procedures. During part of the ''morning hour'' any Senator may make non-debatable motions to proceed to items on the Senate calendar.

One Day and Two Day Rules—The 1-day rule requires that measures must lie over one ''legislative day'' before they can be considered. All bills have to lie over one day, whether they were introduced by an individual Senator (Rule XIV) or reported by a committee (Rule XVII). The 2-day rule requires that IF a committee chooses to file a written report, that committee report MUST contain a CBO cost estimate, a regulatory impact statement, and detail what changes the measure makes to current law (or provide a statement why any of these cannot be done), and that report must be available at least 2 calendar days before a bill can be considered on the Senate floor. Senators may block a measure's consideration by raising a point of order if it does not meet one of these requirements.

''Hard'' Quorum Calls—Senate operates on a presumptive quorum of 51 senators and quorum calls are routinely dispensed with by unanimous consent. If UC is not granted to dispose of a routine quorum call, then the roll must continue to be called. If a quorum is not present, the only motions the leadership may make are to adjourn, to recess under a previous order, or time-consuming motions to establish a quorum that include requesting, requiring, and then arresting Senators to compel their presence in the Senate chamber.

II. Rights Available to Minority During Consideration of Measures in Senate (Many of these rights are regularly waived by Unanimous Consent.)

Motions to Proceed to Measures—with the exception of Conference Reports and Budget Resolutions, most such motions are fully debatable and 60 votes for cloture is needed to cut off extended debate.

Reading of Amendments and Conference Reports in Entirety—In most circumstances, the reading of the full text of amendments may only be dispensed with by unanimous consent. Any Senator may object to dispensing with the reading. If, as is often the case when the Senate begins consideration of a House-passed vehicle, the Majority Leader offers a full-text substitute amendment, the reading of that full-text substitute amendment can only be waived by unanimous consent. A member may only request the reading of a conference report if it is not available in printed form (100 copies available in the Senate chamber).

Senate Points of Order—A Senator may make a point of order at any point he or she believes that a Senate procedure is being violated, with or without cause. After the presiding officer rules, any Senator who disagrees with such ruling may appeal the ruling of the chair—that appeal is fully debatable. Some points of order, such as those raised on Constitutional grounds, are not ruled on by the presiding officer and the question is put to the Senate, then the point of order itself is fully debatable. The Senate may dispose of a point of order or an appeal by tabling it; however, delay is created by the two roll call votes in connection with each tabling motion (motion to table and motion to reconsider that vote).

Budget Points of Order—Many legislative proposals (bills, amendments, and conference reports) are subject to a point of order under the Budget Act or budget resolution, most of which can only be waived by 60 votes. If budget points of order lie against a measure, any Senator may raise them, and a measure cannot be passed or disposed of unless the points of order that are raised are waived. (See *http://budget.senate.gov/republican/pressarchive/PointsofOrder.pdf*)

Amendment Process

Amendment Tree Process and/or Filibuster by Amendment—until cloture is invoked, Senators may offer an unlimited number of amendments—germane or non-germane—on any subject. This is the fullest expression of a ''full, complete, and informed'' debate on a measure. It has been necessary under past Democrat majorities to use the rules governing the amendment process aggressively to ensure that minority Senators get votes on their amendment as originally written (unchanged by the Majority Democrats.)

Substitute Amendments—UC is routinely requested to treat substitute amendments as original text for purposes of further amendment, which makes it easier for the majority to offer 2nd degree amendments to gut 1st degree amendments by the minority. The minority could protect their amendments by objecting to such UC's.

Divisible Amendments—amendments are divisible upon demand by any Senator if they contain two or more parts that can stand independently of one another. This can be used to fight efforts to block the minority from offering all of their amendments, because a single amendment could be drafted, offered at a point when such an amendment is in order, and then divided into multiple component parts for separate consideration and votes. Demanding division of amendments can also be used to extend consideration of a measure. Amendments to strike and insert text cannot be divided.

Motions to Recommit Bills to Committee With or Without Instructions—A Senator may make a motion to recommit a bill to the committee with or without instructions to the Committee to report it back to the Senate with certain changes or additions. Such instructions are amendable.

After Passage: Going to Conference,Motions to Instruct Conferees, Matters Out of Scope of Conference

Going to Conference—The Senate must pass 3 separate motions to go to conference: (1) a motion to insist on its amendments or disagree with the House amendments; (2) a motion to request/agree to a conference; and (3) a motion to authorize the Chair to appoint conferees. The Senate routinely does this by UC, but if a Senator objects the Senate must debate each step and all 3 motions may be filibustered (requiring a cloture vote to end debate).

Motion to Instruct Conferees—Once the Senate adopts the first two motions, Senators may offer an unlimited number of motions to instruct the Senate's conferees. The motions to instruct are amendable—and divisible upon demand—by Senators if they contain more than one separate and distinct instruction.

Conference Reports, Out of Scope Motions—In addition to demanding a copy of the conference report to be on every Senator's desk and raising Budget points of order against it, Senators may also raise a point of order that it contains matter not related to the matters originally submitted to the conference by either chamber. If the Chair sustains the point or order, the provision(s) is stricken from the conference agreement, and the House would then have to approve the measure absent the stricken provision (even if the House had already acted on the conference report). The scope point of order can be waived by 60 Senators.

Availability of Conference Report Language. The conference report must be publicly available on a website 48 hours in advance prior to the vote on passage.

Mr. DURBIN. Madam President, I would just say that when Senator MCCONNELL came to the floor after the ruling and the decision of the Chair, he said the plain language of the Senate precedent—the manual that governs Senate procedure—is that unanimous consent of all Members was required before the Senator from Vermont could withdraw his amendment while it was being read. He said it required unanimous consent. But that is not what the language of the Senate rules say that I have read. They say a Senator has, as a matter of right under rule XV, paragraph 2, to withdraw his amendment before action is taken. In this case, as I mentioned earlier, the argument back in 1992 backs up the Parliamentarian's decision in that interpretation of the rule.

So I would say it didn't work today to stop or slow down the Senate. Currently, we are not technically debating health care reform. What is before us now is the Department of Defense appropriations bill from the House, which I hope we can move on quickly. I think it is not controversial. It is a matter of finding money for our troops who are risking their lives overseas and supporting their families at home and providing health care for members of the military and their families. I don't think there is much debate about that.

It also extends the unemployment benefits that people need across America, which passed with a 97-to-0 vote, if I am not mistaken, not that long ago—the last time it was considered. So these are matters which should move along, and we should be able to do it in a fairly straightforward way. I would hope we can show some bipartisanship when it comes to our men and women in uniform and approve the Department of Defense appropriations bill, which does not contain anything controversial beyond what I have just described. We can then get back to the health care reform bill. I think it is important that at some point we bring this to a vote, to find if we indeed have the 60 votes for health care reform. I sincerely hope we do.

I will close by saying this health care reform bill has its critics, but it also has several features which can't be denied.

The first of those features that have been verified by the Congressional Budget Office: This bill does not add to the deficit of the United States; it reduces the deficit by $130 billion over 10 years and $650 billion, moreover, the following 10 years.

We have also received reports from the Congressional Budget Office that the result of this bill will be a decline in the increase in the cost of health insurance premiums—something we desperately need.

It is a bill that will also extend health insurance coverage to 30 million more Americans who do not have it today—50 million uninsured Americans; 30 million of them, 60 percent of them, will have the protection of health insurance coverage. Ninety percent of Americans will have health insurance coverage—the highest percentage in the history of the United States of America—as a result of this bill.

This bill addresses directly the issue of whether health insurance companies can continue to deny coverage when people need it the most. We know stories from our own life experience and our families' and people who write to our offices, that people in the most need of health insurance protection are often turned down by the companies. They pore through the applications and say: You failed to disclose a preexisting condition. They say: Your amount of coverage has lapsed; your child is too old to be covered by your family plan—the list goes on and on.

Finally, some of the most egregious abuses by health insurance companies are addressed in this bill, and consumers across America are given the legal power to fight back and the legal power to be protected. That is why this bill is important and why it is worth passing, all the criticism notwithstanding.

I might also say that it is a bill that is critically important for the future of Medicare. If we do nothing, Medicare is going broke in 7 or 8 years, but we are told this bill will extend the life of Medicare up to 10 more years. That is good news, to put Medicare on sound financial footing, so our seniors like that.

The majority leader of the Senate came to the floor 2 days ago to announce something else that will be part of the conference committee here. The so-called doughnut hole, that gap in coverage for prescription drugs under

Medicare, is going to be filled so that seniors will no longer have that period of uncertainty where their bills have reached a level where they are disqualified from payment—the so-called doughnut hole. It will be filled. It will give them peace of mind that if they have expensive pharmaceuticals, they will have no interruption in coverage in the future when it comes to those pharmaceuticals.

For seniors, these are two major things—to put Medicare on sound financial footing and to fill the doughnut hole under the Medicare prescription part of the program.

It also is going to give seniors for the first time access to the kind of preventive care—regular checkups—they need for peace of mind and so doctors and professionals can catch problems before they get worse.

This bill is a positive bill, a positive step forward.

Yesterday, we had a chance as a Senate Democratic caucus to meet with President Obama. We went to the White House, the Executive Office Building, and the President talked to us about what this bill means. He reminded us that seven Presidents have tried to do this and failed. He told us when he started this trek that he wanted to be the last President to deal with health care reform because he wanted to get it done. I feel the same way. I think the American people feel the same way.

I am sure there is confusion. There have been a lot of misstatements made about death panels and things that really have no basis in fact. But people should be confident that when the AARP, the American Association of Retired Persons, stands up and says this is a good bill for the seniors in America under Medicare and Social Security and for their families; when medical professionals, doctors and medical professionals, stand up and say this is a good bill, that we have the kind of support we need to say to the American people that this is an important step forward in health care protection in America.

It is time for us to make history and pass this bill. Let's do it and do it in time for Members to enjoy Christmas with their families.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permit to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

Mrs. BOXER. Madam President, I rise today to pay tribute to three young Americans who have been killed in Iraq since July 28. This brings to 882 the number of servicemembers either from California or based in California that have been killed while serving our country in Iraq. This represents 20 percent of all U.S. deaths in Iraq.

SPC Lukas C. Hopper, 20, of Merced, CA, died October 30, southeast of Karadah, Iraq, of injuries sustained during a vehicle roll-over. Private First Class Hopper was assigned to the 1st Battalion, 505th Parachute Infantry Regiment, 3rd Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC.

SPC Christopher M. Cooper, 28, of Oceanside, CA, died October 30 in Babil province, Iraq, of injuries sustained from a noncombat related incident. Specialist Cooper was assigned to the 2nd Battalion, 28th Infantry, 172nd Infantry Brigade, Schweinfurt, Germany.

PVT Jhanner A. Tello, 29, of Los Angeles, CA, died December 10 in Baghdad, Iraq, of injuries sustained from a noncombat related incident. Private Tello was assigned to the 3rd Aviation Support Battalion, 227th Aviation Regiment, 1st Air Cavalry Brigade, 1st Cavalry Division, Fort Hood, TX.

I would also like to pay tribute to the 27 soldiers from California or based in California who have died while serving our country in Operation Enduring Freedom since July 28.

SPC Matthew K.S. Swanson, 20, of Lake Forest, CA, died August 8 at the National Naval Medical Center in Bethesda, MD, of injuries sustained during a vehicle roll-over July 19 in Logar province, Afghanistan. Specialist Swanson was assigned to the 3rd Brigade Special Troops Battalion, 3rd Brigade Combat Team, 10th Mountain Division, Light Infantry, Fort Drum, NY.

LCpl Javier Olvera, 20, of Palmdale, CA, died August 8 while supporting combat operations in Helmand province, Afghanistan. Lance Corporal Olvera was assigned to 2nd Battalion, 8th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC.

PFC Brian M. Wolverton, 21, of Oak Park, CA, died August 20 in Kunar province, Afghanistan, of wounds suffered when insurgents attacked his unit with indirect fire. Private First Class Wolverton was assigned to the 1st Battalion, 32nd Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division, Light Infantry, Fort Drum, NY.

LCpl Donald J. Hogan, 20, of San Clemente, CA, died August 26 while supporting combat operations in Helmand province, Afghanistan. Lance Corporal Hogan was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CPT John L. Hallett III, 30, of Concord, CA, died August 25 in southern Afghanistan, of wounds suffered when enemy forces attacked his vehicle with an improvised explosive device. Captain Hallett was assigned to the 1st Battalion, 17th Infantry Regiment, 5th Stryker Brigade, 2nd Infantry Division, Fort Lewis, WA.

SPC Tyler R. Walshe, 21, of Shasta, CA, died August 31 in southern Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Specialist Walshe was assigned to the 1st Battalion, 17th Infantry Regiment, 5th Stryker Brigade, 2nd Infantry Division, Fort Lewis, WA.

SPC Jonathan D. Welch, 19, of Yorba Linda, CA, died August 31 in Shuyene Sufia, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Specialist Welch was assigned to the 1st Battalion, 17th Infantry Regiment, 5th Stryker Brigade, 2nd Infantry Division, Fort Lewis, WA.

PO3 James R. Layton, 22, of Riverbank, CA, died September 8 in Kunar province, Afghanistan, while supporting combat operations. Petty Officer 3rd Class Layton was assigned to an embedded training team with Combined Security Transition Command in Afghanistan.

Capt Joshua S. Meadows, 30, of Bastrop, TX, died September 5 while supporting combat operations in Farah province, Afghanistan. Captain Meadows was assigned to 1st Marine Special Operations Battalion, Marine Corps Forces Special Operations Command, Camp Pendleton, CA.

TSgt James R. Hornbarger, 33, of Castle Rock, WA, died September 12 as a result of a non-hostile incident in the Mediterranean. Technical Sergeant Hornbarger was assigned to the 9th Aircraft Maintenance Squadron, Beale Air Force Base, CA.

SGT Joshua M. Hardt, 24, of Applegate, CA, died October 3 in Kamdesh, Afghanistan, of wounds suffered when enemy forces attacked his contingency outpost with small arms, rocket-propelled grenade and indirect fires. Sergeant Hardt was assigned to the 3rd Squadron, 61st Cavalry Regiment, 4th Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

SSgt Aaron J. Taylor, 27, of Bovey, MN, died October 9 while supporting combat operations in Helmand province, Afghanistan. Staff Sergeant Taylor was assigned to Marine Wing Support Squadron 372, Marine Wing Support Group 37, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Alfonso Ochoa, Jr., 20, of Armona, CA, died October 10 while supporting combat operations in Farah province, Afghanistan. Lance Corporal Ochoa was assigned to 2nd Battalion, 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force,

Marine Corps Base Hawaii, Kaneohe Bay.

SPC Jesus O. Flores, Jr., 28, of La Mirada, CA, died October 15 in Kandahar province, Afghanistan, of wounds suffered when enemy forces attacked his vehicle with an improvised explosive device. Specialist Flores was assigned to the 569th Mobility Augmentation Company, 4th Engineer Battalion, Fort Carson, CO.

SPC Michael A. Dahl, Jr., 23, of Moreno Valley, CA, died October 17 in Argahndab, Afghanistan, of wounds suffered when enemy forces attacked his vehicle with an improvised explosive device. Specialist Dahl was assigned to 1st Battalion, 17th Infantry Regiment, 5th Stryker Brigade, 2nd Infantry Division, Fort Lewis, WA.

LCpl David R. Baker, 22, of Painesville, OH, died October 20 while supporting combat operations in Helmand province, Afghanistan. Lance Corporal Baker was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Kyle A. Coumas, 22, of Lockeford, CA, died October 21 in Kandahar province, Afghanistan, of wounds suffered when enemy forces attacked his vehicle with an improvised explosive device. Specialist Coumas was assigned to 1st Battalion, 17th Infantry Regiment, 5th Stryker Brigade Combat Team, 2nd Infantry Division, Fort Lewis, WA.

Capt Kyle R. Van De Giesen, 29, of North Attleboro, MA, died October 26 while supporting combat operations in Helmand province, Afghanistan. Captain Van De Giesen was assigned to Marine Light Attack Helicopter Squadron 169, Marine Aircraft Group 39, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Camp Pendleton, CA.

Capt David S. Mitchell, 30, of Loveland, OH, died October 26 while supporting combat operations in Helmand province, Afghanistan. Captain Mitchell was assigned to Marine Light Attack Helicopter Squadron 367, Marine Aircraft Group 39, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Camp Pendleton, CA.

Capt Eric A. Jones, 29, of Westchester, NY, died October 26 while supporting combat operations in Helmand province, Afghanistan. Captain Jones was assigned to Marine Light Attack Helicopter Squadron 169, Marine Aircraft Group 39, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Camp Pendleton, CA.

Cpl Gregory M.W. Fleury, 23, of Anchorage, AK, died October 26 while supporting combat operations in Helmand province, Afghanistan. Corporal Fleury was assigned to Marine Light Attack Helicopter Squadron 169, Marine Aircraft Group 39, 3rd Marine Aircraft Wing, I Marine Expeditionary Force, Camp Pendleton, CA.

SGT Eduviges G. Wolf, 24, of Hawthorne, CA, died October 25 in Kunar province, Afghanistan, of wounds suffered when insurgents attacked her vehicle with a rocket-propelled grenade. Sergeant Wolf was assigned to the 704th Brigade Support Battalion, 4th Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

LCpl Cody R. Stanley, 21, of Rosanky, TX, died October 28 while supporting combat operations in Helmand province, Afghanistan. Lance Corporal Stanley was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Marine Corps Air Ground Combat Center, Twentynine Palms, CA.

SFC David E. Metzger, 32, of San Diego, CA, died October 26 of wounds suffered when the MH–47 helicopter he was aboard crashed in Darreh-ye Bum, Afghanistan. Sergeant First Class Metzger was assigned to the 3rd Battalion, 7th Special Forces Group, Airborne, Fort Bragg, NC.

Sgt Charles I. Cartwright, 26, of Union Bridge, MD, died November 7 while supporting combat operations in Farah province, Afghanistan. Sergeant Cartwright was assigned to 1st Marine Special Operations Battalion, U.S. Marine Corps Forces Special Operations Command, Camp Pendleton, CA.

LCpl Justin J. Swanson, 21, of Anaheim, CA, died November 10 while supporting combat operations in Helmand province, Afghanistan. Lance Corporal Swanson was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

PFC Marcus A. Tynes, 19, of Moreno Valley, CA, died November 21 in Kandahar province, Afghanistan, of wounds sustained when enemy forces attacked his vehicle with an improvised explosive device. Private First Class Tynes was assigned to the 2nd Battalion, 508th Parachute Infantry Regiment, 4th Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC.

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY SUBCOMMITTEE ASSIGNMENTS

Mrs. LINCOLN. Madam President, the Committee on Agriculture, Nutrition and Forestry has amended and adopted subcommittees for the 111th Congress. On behalf of myself and Senator CHAMBLISS, I ask unanimous consent that a copy of the subcommittees be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

111th Congress

SUBCOMMITTEE ASSIGNMENTS

Subcommittee on Rural Revitalization, Conservation, Forestry and Credit: Rural economic revitalization and quality of life; rural job and business growth; rural electrification, telecommunications and utilities; conservation, protection and stewardship of natural resources; state, local and private forests and general forestry; agricultural and rural credit.

Sen. Stabenow, Chair; Sen. Leahy; Sen. Harkin; Sen. Nelson; Sen. Casey; Sen. Bennet; Sen. Cornyn, Ranking; Sen. Cochran; Sen. McConnell; Sen. Grassley; and Sen. Thune.

Subcommittee on Energy, Science and Technology: Renewable energy production and energy efficiency improvement on farms and ranches and in rural communities; food and agricultural research, education, economics and extension; innovation in the use of agricultural commodities and materials.

Sen. Bennet, Chair; Sen. Conrad; Sen. Nelson; Sen. Brown; Sen. Klobuchar; Sen. Stabenow; Sen. Gillibrand; Sen. Thune, Ranking; Sen. Lugar; Sen. Roberts; Sen. Johanns; Sen. Grassley; and Sen. Cornyn.

Subcommittee on Hunger, Nutrition, and Family Farms: Domestic and international nutrition and food assistance and hunger prevention; school and child nutrition programs; local and healthy food initiatives; futures, options and derivatives; pesticides; and general legislation.

Sen. Brown, Chair; Sen. Leahy; Sen. Harkin; Sen. Baucus; Sen. Stabenow; Sen. Casey; Sen. Klobuchar; Sen. Bennet; Sen. Gillibrand; Sen. Lugar, Ranking; Sen. Cochran; Sen. McConnell; and Sen. Cornyn.

Subcommittee on Production, Income Protection and Price Support: Production of agricultural crops, commodities and products; farm and ranch income protection and assistance; commodity price support programs; insurance and risk protection; fresh water food production.

Sen. Casey, Chair; Sen. Leahy; Sen. Harkin; Sen. Conrad; Sen. Baucus; Sen. Brown; Sen. Roberts, Ranking; Sen. Cochran; Sen. Johanns; Sen. Grassley; and Sen. Thune.

Subcommittee on Domestic and Foreign Marketing, Inspection, and Plant and Animal Health: Agricultural trade; foreign market development; domestic marketing and product promotion; marketing orders and regulation of agricultural markets and animal welfare; inspection and certification of plants, animals and products; plant and animal diseases and health protection.

Sen. Gillibrand, Chair; Sen. Conrad; Sen. Baucus; Sen. Nelson; Sen. Klobuchar; Sen. Johanns, Ranking; Sen. Lugar; Sen. McConnell; and Sen. Roberts.

*Senator Lincoln and Senator Chambliss serve as ex officio members of all subcommittees.

ADDITIONAL STATEMENTS

TRIBUTE TO CANADIAN SENATOR JERAHMIEL ''JERRY'' GRAFSTEIN

• Mr. CARDIN. Madam President, I wish to draw the attention of my colleagues to the retirement of Jerahmiel S. Grafstein from the Canadian Senate.

As a member and now as Chairman of the Helsinki Commission, I have had the privilege to know and work with Jerry Grafstein over the years through participation in the Parliamentary Assembly of the Organization for Security and Cooperation in Europe—the OSCE. I know that my colleague from Ohio, Senator VOINOVICH, also knows Jerry well, having just worked with him on a resolution at this year's Annual Session of the Assembly in Vilnius, Lithuania, on combating anti-Semitism. I suspect that many of my other Senate colleagues have also worked with him over the years, as have many of our colleagues in the House of Representatives.

Anybody who has met Senator Grafstein immediately recognizes him as a man of tremendous energy, deep commitment and brilliant mind. Commenting on Jerry's career, one of his Canadian Senate colleagues noted the daunting task of paying tribute ''to a force of nature disguised as a person.'' A successful lawyer, businessman and member of the Liberal Party, he was summoned to the Canadian Senate in 1984. Jerry Grafstein's accomplishments over the next 25 years of public service are much more than I can relay here.

I do, however, want to highlight Jerry's prominent work with the 56 countries, 300 member OSCE Parliamentary Assembly. Serving for 6 years as the Assembly's treasurer and then, with me since 2007, as one of nine Vice Presidents, Jerry has understood the potential of this multilateral parliamentary forum to promote human rights, democracy and tolerance. Such a vital forum, however, does not just magically appear for the world's benefit. Someone has to take the time to make it function by participating as an officer, attending countless organizational meetings and, for us and our Canadian neighbors, traveling frequently across the Atlantic to do so. Jerry was one who rose to the challenge and then some.

Even as he helped on organizational matters, Jerry Grafstein found more time than most others to focus on substance. First and foremost, he has helped to lead the charge against rising anti-Semitism across Europe and around the world. Diplomacy has a tendency to soften the criticism and downplay the negative, often until it is too late, but Jerry has helped to ensure that the OSCE did not shy away from dealing directly with this and other manifestations of hate and prejudice that dangerously confront far too many societies. Today, thanks to the vigilance of Jerry Grafstein and others, efforts to promote greater tolerance are now a solid, ongoing and vital aspect of the OSCE's work.

This distinguished Senator from Canada also found time to participate and help lead OSCE PA missions observing elections and referenda in places like Russia, Ukraine, Georgia and Montenegro. By being an international observer, he became a witness to history and, in my view, helped history forward and make the world a more democratic place.

In all his public endeavors, Jerry Grafstein has been a close friend of the United States of America. He has helped over the years to develop the bilateral dialogue between the U.S. Congress and the Canadian Parliament. He has come here to Washington on many occasions, including as a participant in Helsinki Commission events. He has always made clear that he is Canadian and proud of the country he represents, but that has never kept him from developing areas of common interest and seeking points of agreement even on some issues where our national views may otherwise diverge.

Jerry Grafstein has been and will remain a close personal friend as well, always concerned, always engaging, never pretentious. I wish him and his wife Carole the very best. Although he deserves some time off, I am confident that he will remain prominent in the life of the vibrant city of Toronto.

In noting the many accomplishments of Jerahmiel Grafstein and thanking him for his commitment to public service, I respectfully borrow the Canadian Senate's tradition and join his colleagues in saying: ''Hear, Hear!'' On a personal level, I believe I speak for numerous colleagues of my own in saying that Jerry will be missed, and always welcome to come and visit.●

TRIBUTE TO TOMÁS VILLANUEVA

● Mrs. MURRAY. Madam President, today I would like to take a moment to recognize a very special advocate, activist, and champion for equal rights in my home State of Washington on his birthday.

Tomás Villanueva has been a farmworkers, warehouse packers, and other economically disadvantaged laborers advocate since the early 1960s. Tomás was one of the first people involved in the United Farmworkers Union in my home State and has fought for years to ensure that workers are treated with dignity, respect, and under the protections of the law.

Tomás' involvement with the human rights movement began in the early 1960s when he was inspired by UFW leader Cesar Chavez. And since that time, Tomás has fought for numerous causes and people while maintaining his reputation as a kind, generous, compassionate and humble leader.

Tomás has also been a close friend and partner of mine for a very long time. He has helped my staff and I recognize the depth of the difficult conditions that farmworkers face, and has been a consistent voice in fighting to improve conditions through the legislative process.

Farmworker housing is a moral issue, an economic issue, and a family issue. Too many workers and their families face very difficult living conditions. Some live in their cars. Others share run-down, overcrowded rooms with other families. These are not the kinds of living conditions we can tolerate in the United States in the 21st century. They are certainly not suitable for the people who help put food on our tables and who keep our State's economy strong. Tomás knows that we can and must do better.

Tomás Villanueva was 14 when his family emigrated from Mexico. After following the crops for three years, the family settled in Toppenish, Washington in 1958. Tomás spent the next several years working various jobs before earning a high school GED and enrolling in Yakima Valley College.

Hearing about Caesar Chavez's United Farm Workers movement, Tomás travelled to California in 1967 to learn about organizing. Returning to the Yakima Valley, he helped found the United Farm Worker Cooperative, one of the very first Chicano organizations in the State of Washington.

From 1967 to 1974, Tomás devoted himself to farm worker organizing and Chicano movement activism. Out of these efforts came the Yakima Valley Farmworkers Clinic, the United Farm Workers Service Center, a wave of hop harvest strikes in 1969, 1970, 1971, and a successful grape boycott.

In 1974, Tomás started a construction company with his father and brothers, but in the 1980s he was back in the union movement. In 1986 he became the first president of the newly formed United Farm Workers of Washington State. Today he lives in Toppenish and remains active in State and local politics.

Tomás Villanueva continues to be a valued friend, hard-working partner, and widely-respected leader in his community. I am so pleased to recognize his lifetime of achievements on this special day.●

RECOGNIZING SUTHERLAND WESTON MARKETING COMMUNICATIONS

● Ms. SNOWE. Madam President, as we approach the holiday season, we are frequently reminded of the generosity and warmth that Americans demonstrate year in and year out at this most festive time. In particular, we often hear stories of employees at local businesses who graciously donate their time and efforts to help the less fortunate. This week I wish to recognize the employees of one such company who consistently work to improve the lot of everyone in their community.

Sutherland Weston Marketing Communications of Bangor is a cutting-edge firm that specializes in a host of marketing topics, including public relations, media, and branding. Specifically, the company helps its customers design memorable flyers and mailers, effective television advertisements, and state-of-the-art Web sites, and teaches them the increased value of employing popular social media, such as Facebook and Twitter, in their marketing decisions. Since its inception in 2005, Sutherland Weston has assisted dozens of clients throughout Maine seeking ways to enhance their image and broaden their customer base. Among them are local small businesses such as Maine Wood Concepts of Guilford and Raye's Mustard Mill of Eastport; organizations like the Bangor Symphony Orchestra; and institutions such as the University of Maine.

Furthermore, members of the Sutherland Weston team participate regularly in conferences and seminars to better educate the public on how to maximize marketing strategies. One such event is the Social Media 101 seminar, held this past March, where the firm's owners—Elizabeth Sutherland

and Cary Weston—presented a workshop designed at increasing the professional use of sites such as Facebook, Twitter, and LinkedIn.

The nine employees of Sutherland Weston are also active members of the greater Bangor community, contributing to various philanthropic endeavors on a regular basis. This past June, the company took part in the 25th Trek Across Maine in support of the American Lung Association. The ''Green Marketeers,'' including Sutherland Weston employees, spouses, and friends, took to their bicycles for the 180-mile trip from Bethel's Sunday River mountain to the coastal town of Belfast, raising nearly $8,000 in pledges along the way.

Additionally, in recognition of the true meaning of Christmas, the company's employees donated time and talent this year to creating a new, user-friendly Web site called Christmas is for Kids, a critical program that facilitates donations of holiday gifts for underprivileged children across Maine. The Web site allows users to find the name and hometown of a child, as well as the specific gift he or she is requesting, adding a personal touch to the experience. Donors indicate which gift they are willing to purchase so that it can be removed from the listing, doing their best to ensure that no child is left out. Several sponsors have suggested that because of Sutherland Weston's noteworthy Web site, 2009 may be the most successful season in the program's 27-year history.

As we look forward to celebrating the upcoming holidays with our loved ones, let us take a moment to remember those experiencing sorrow during this joyous season. And let us also recognize those who are working in every community across the country to make someone's day brighter through deeds great and small. I thank Elizabeth Sutherland, Cary Weston, and everyone at Sutherland Weston Marketing Communications for their selfless gift this holiday season, and wish them continued success in their future endeavors.●

MESSAGES FROM THE HOUSE

At 11:49 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1084. An act to require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany.

H.R. 1517. An act to allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service.

H.R. 2194. An act to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

H.R. 3978. An act to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are related to preparedness for and response to terrorism, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 1472. An act to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution:

H. Con. Res. 223. Concurrent resolution providing for the sine die adjournment of the first session of the One Hundred Eleventh Congress.

At 2:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the amendment of the Senate to the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; with an amendment, in which it requests the concurrence of the Senate.

At 5:29 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1110. An act to amend title 18, United States Code, to prevent caller ID spoofing, and for other purposes.

H.R. 4314. An act to permit continued financing of Government operations.

H.J. Res. 64. Joint resolution making further continuing appropriations for fiscal year 2010, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con Res. 160. Concurrent resolution recognizing the contributions of the American Kennel Club.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1084. An act to require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany; to the Committee on Commerce, Science, and Transportation.

H.R. 1110. An act to amend title 18, United States Code, to prevent caller ID spoofing, and for other purposes; to the Committee on the Judiciary.

H.R. 1517. An act to allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2194. An act to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3978. An act to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are related to preparedness for and response to terrorism, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 160. Concurrent resolution honoring the American Kennel Club; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4057. A communication from the Acting Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Common Crop Insurance Regulations; Basic Provision'' ((7 CFR Part 457 (RIN0563–AC23)) received in the Office of the President of the Senate on December 8, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4058. A communication from the Acting Farm Bill Coordinator, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Agricultural Management Assistance Program'' (RIN0578–AA50) received in the Office of the President of the Senate on December 14, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4059. A communication from the Acting Farm Bill Coordinator, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Regional Equity'' (RIN0578–AA44) received in the Office of the President of the Senate on December 14, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4060. A communication from the Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Potato Research and Promotion Plan; Assessment Increase'' (Docket No. AMS–FV–09–0024; FV–09–706FR) received in the Office of the President of the Senate on December 14, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4061. A communication from the Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Vegetable Import Regulations; Modification of Potato Import Regulations'' (Docket No. AMS–FV–08–0018; FV08–980–1 FR) received in the Office of the President of the Senate on December 14, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4062. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting,

pursuant to law, the report of a rule entitled ''McGovern Dole International Food for Education and Child Nutrition Program and Food for Progress Program'' (RIN0551–AA78) received in the Office of the President of the Senate on December 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4063. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2009 Tariff-Rate Quota Year'' (7 CFR Part 6) received in the Office of the President of the Senate on December 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4064. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Technical Assistance for Specialty Crops'' (RIN0551–AA71) received in the Office of the President of the Senate on December 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4065. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 807(e)(4) Exception for Section 338 Regulations'' (Notice No. 2010–1) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4066. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Remedial Amendment Period and Reliance for Section 403(b) Plans'' (Announcement 2009–89) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4067. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Interim Guidance on Interactions with Foreign Tax Officials'' (LMSB–4–0409–013) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4068. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Ruling: 94X Examples'' (Rev. Rul. 2009–39) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4069. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Production Tax Credits for Refined Coal'' (Notice No. 2009–90) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4070. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2009 Base Period T-Bill Rate'' (Rev. Rul. 2009–36) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4071. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2009–96) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4072. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Salvage Discount Factors for 2009'' (Rev. Proc. 2009–56) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4073. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2010 Standard Mileage Rates'' (Rev. Proc. 2009–54) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4074. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Extension of Attributed Tip Income Program (ATIP)'' (Rev. Proc. 2009–53) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Finance.

EC–4075. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a report entitled ''2008 Annual Report of the Securities Investor Protection Corporation''; to the Committee on Banking, Housing, and Urban Affairs.

EC–4076. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Wassenaar Arrangement's (WA) Task Force on Editorial Issues (TFEI) Revisions'' (RIN0694–AE71) received in the Office of the President of the Senate on December 4, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–4077. A communication from the Assistant to the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital—Residential Mortgage Loans Modified Pursuant to the Home Affordable Mortgage Program'' (Docket No. R–1361) received in the Office of the President of the Senate on December 4, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–4078. A communication from the Assistant to the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital—Residential Mortgage Loans Modified Pursuant to the Home Affordable Mortgage Program'' (RIN1550–AC34) received in the Office of the President of the Senate on December 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–4079. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Final Model Privacy Form Under the Gramm-Leach-Bliley Act'' (RIN1550–AC12) received in the Office of the President of the Senate on December 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–4080. A communication from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Interest on Deposits'' (RIN3064–AD46) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–4081. A communication from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance; Capital—Residential Mortgage Loans Modified Pursuant to the Home Affordable Mortgage Program'' (RIN3064–AD42) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–4082. A communication from the Director, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report entitled ''Report to Congress: Minerals Management Service Royalty in Kind Operation Program'' for Fiscal Year 2008; to the Committee on Energy and Natural Resources.

EC–4083. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Loan Guarantees for Projects That Employ Innovative Technologies'' (RIN1901–AB27) received in the Office of the President of the Senate on December 8, 2009; to the Committee on Energy and Natural Resources.

EC–4084. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas Leasing; National Petroleum Reserve, Alaska'' (RIN1004–AD87) received in the Office of the President of the Senate on December 9, 2009; to the Committee on Energy and Natural Resources.

EC–4085. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Mandatory Reliability Standards for the Calculation of Available Transfer Capability, Capacity Benefit Margins, Transmission Reliability Margins, Total Transfer Capability, and Existing Transmission Commitments and Mandatory Reliability Standards for the Bulk-Power System'' (Docket Nos. RM08–19–000, RM08–19–001, RM09–5–000, RM06–16–005) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Energy and Natural Resources.

EC–4086. A communication from the Director of Congressional Affairs, Office of Administration, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Administrative Changes: Clarification of the Location of Guidance for Electronic Submission and other Miscellaneous Corrections'' (RIN3150–AI73) received in the Office of the President of the Senate on December 9, 2009; to the Committee on Environment and Public Works.

EC–4087. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's response to the GAO report entitled ''Rebuilding IRAQ: Improved Management Controls and Iraqi Commitment Needed for Key State and USAID Capacity-Building Programs''; to the Committee on Foreign Relations.

EC–4088. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Visas: Documentation of Immigrants and Nonimmigrants-Visa Classification Symbols'' received in the Office of the President of the

Senate on December 9, 2009; to the Committee on Foreign Relations.

EC–4089. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Organ-Specific Warnings; Antipyretic, and Antirheumatic Drug Products for Over-the-Counter Human Use; Final Monograph; Technical Amendment'' (Docket No. FDA–1977–N–0013) received in the Office of the President of the Senate on December 9, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–4090. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''State Fiscal Stabilization Fund Program'' (RIN1810–AB04) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–4091. A communication from the Director of Regulations and Rulings, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Calistoga Viticultural Area (2003R–496P)'' (RIN1513–AA92) received in the Office of the President of the Senate on December 10, 2009; to the Committee on the Judiciary.

EC–4092. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Massachusetts Advisory Committee; to the Committee on the Judiciary.

EC–4093. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Report to the Nation 2009''; to the Committee on the Judiciary.

EC–4094. A communication from the National Executive Secretary, Navy Club of the United States of America, transmitting, pursuant to law, a report relative to the national financial statement of the organization and national staff and convention minutes for the year ending July 31, 2009; to the Committee on the Judiciary.

EC–4095. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the report of a rule entitled ''Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records'' received in the Office of the President of the Senate on December 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC–4096. A communication from the Deputy Chief Counsel of the Office of Regulations and Security Standards, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''False Statements Regarding Security Background Checks'' (RIN1652–AA65) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Commerce, Science, and Transportation.

EC–4097. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of the Monetary Threshold for Reporting Rail Equipment Accidents/Incidents for Calendar Year 2010'' (RIN2130–ZA02) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUYE, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals From the Concurrent Resolution, Fiscal Year 2010.'' (Rept. No. 111–109).

By Mrs. LINCOLN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

H.R. 310. A bill to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

H.R. 511. A bill to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village.

By Mrs. LINCOLN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment and with a preamble:

S. Res. 374. A resolution recognizing the cooperative efforts of hunters, sportsmen's associations, meat processors, hunger relief organizations, and State wildlife, health, and food safety agencies to establish programs that provide game meat to feed the hungry.

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1672. A bill to reauthorize the National Oilheat Research Alliance Act of 2000.

By Mr. DORGAN, from the Committee on Indian Affairs, with amendments:

S. 1790. A bill to amend the Indian Health Care Improvement Act to revise and extend that Act, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. LINCOLN for the Committee on Agriculture, Nutrition, and Forestry.

*Jill Long Thompson, of Indiana, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring May 21, 2014.

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Elizabeth M. Harman, of Maryland, to be an Assistant Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

*Grayling Grant Williams, of Maryland, to be Director of the Office of Counternarcotics Enforcement, Department of Homeland Security.

By Mr. AKAKA for the Committee on Veterans' Affairs.

*Robert A. Petzel, of Minnesota, to be Under Secretary for Health of the Department of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. LANDRIEU (for herself and Ms. KLOBUCHAR):

S. 2885. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself, Mr. MCCAIN, and Mr. FEINGOLD):

S. 2886. A bill to prohibit certain affiliations (between commercial banking and investment banking companies), and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY:

S. 2887. A bill to amend title V of the Elementary and Secondary Education Act of 1965 to reduce class size through the use of highly qualified teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN:

S. 2888. A bill to amend section 205 of title 18, United States Code, to exempt qualifying law school students participating in legal clinics from the application of the general conflict of interest rules under such section; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. LAUTENBERG, Mr. THUNE, and Mr. DORGAN):

S. 2889. A bill to reauthorize the Surface Transportation Board, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FEINGOLD:

S. 2890. A bill to amend the Buy American Act to increase the requirement for American-made content, to tighten the waiver provisions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID (for himself, Mr. ENSIGN, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 2891. A bill to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. 2892. A bill to establish the Alabama Black Belt National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 2893. A bill to amend the Controlled Substances Import and Export Act to prevent the use of Indian reservations located on the United States borders to facilitate cross—border drug trafficking, and for other purposes; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 2894. A bill to amend the Internal Revenue Code to provide for a refundable tax credit for heating fuels and to create a grant program for States to provide individuals with loans to weatherize their homes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INOUYE (for himself, Mr. GREGG, Mr. LIEBERMAN, and Mr. DURBIN):

S. Res. 376. A resolution honoring the 60th anniversary of the establishment of diplomatic relations between the United States and the Hashemite Kingdom of Jordan, the

10th anniversary of the accession to the throne of His Majesty King Abdullah II Ibn Al Hussein, and for other purposes; considered and agreed to.

By Mr. MENENDEZ:

S. Con. Res. 48. A concurrent resolution recognizing the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and ethnic discrimination in the United States of America; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 678

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 777

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 777, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1067

At the request of Mr. BROWNBACK, the name of the Senator from California (Mrs. FEINSTEIN) was withdrawn as a cosponsor of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1204

At the request of Mrs. MURRAY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1204, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1492

At the request of Mr. BENNET, his name was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1524

At the request of Mr. KERRY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1524, a bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes.

S. 1743

At the request of Mrs. LINCOLN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1743, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1809

At the request of Mr. WICKER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1809, a bill to amend the Clean Air Act to promote the certification of aftermarket conversion systems and thereby encourage the increased use of alternative fueled vehicles.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2052

At the request of Mr. UDALL of Colorado, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 2052, a bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out a research and development and demonstration program to reduce manufacturing and construction costs relating to nuclear reactors, and for other purposes.

S. 2129

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2129, a bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum.

S. 2847

At the request of Mr. WHITEHOUSE, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2847, a bill to regulate the volume of audio on commercials.

S. 2852

At the request of Mr. BEGICH, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2852, a bill to establish, within the National Oceanic and Atmospheric Administration, an integrated and comprehensive ocean, coastal, Great Lakes, and atmospheric research, prediction, and environmental information program to support renewable energy.

S. 2853

At the request of Mr. GREGG, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2853, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the long-term fiscal stability and economic security of the Federal Government of the United States, and to expand future prosperity growth for all Americans.

S. 2859

At the request of Mr. INOUYE, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 2859, a bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes.

S. 2862

At the request of Ms. SNOWE, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2862, a bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes.

S. 2869

At the request of Ms. LANDRIEU, the names of the Senator from Indiana (Mr. BAYH), the Senator from Georgia (Mr. ISAKSON) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2871

At the request of Mr. INOUYE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2871, a bill to make technical corrections to the Western and Central Pacific Fisheries Convention Implementation Act, and for other purposes.

S. RES. 374

At the request of Mrs. LINCOLN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 374, a resolution recognizing the cooperative efforts of hunters, sportsmen's associations, meat processors, hunger relief organizations, and State wildlife, health, and food safety agencies to establish programs that provide game meat to feed the hungry.

AMENDMENT NO. 2790

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2790 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2866

At the request of Mr. SPECTER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of amendment No. 2866 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2938

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii

(Mr. AKAKA) was added as a cosponsor of amendment No. 2938 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2976

At the request of Mr. CARDIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 2976 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2993

At the request of Mr. SCHUMER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of amendment No. 2993 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 2997

At the request of Ms. KLOBUCHAR, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 2997 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3073

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 3073 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3085

At the request of Mrs. LINCOLN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 3085 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3136

At the request of Mr. UDALL of New Mexico, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 3136 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3227

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 3227 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3228

At the request of Ms. LANDRIEU, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of amendment No. 3228 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

AMENDMENT NO. 3241

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of amendment No. 3241 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself, Mr. MCCAIN, and Mr. FEINGOLD):

S. 2886. A bill to prohibit certain affiliations (between commercial banking and investment banking companies), and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MCCAIN. Mr. President, I am pleased to be joining my friend and colleague from Washington, Senator CANTWELL, to introduce the Banking Integrity Act of 2009. My reasons for joining this effort are simple—I want to ensure that we never stick the American taxpayer with another $700 billion tab to bail out the financial industry. If big Wall Street institutions want to take part in risky transactions—fine. But we should not allow them to do so with federally insured deposits.

Paul Volcker, a top economist in the Obama administration and former Federal Reserve Chairman, wants the nation's banks to be prohibited from owning and trading risky securities, the very practice that got the biggest ones into deep trouble in 2008. The administration is saying no, it will not separate commercial banking from investment operations. Mr. Volcker argues that regulation by itself will not work. Sooner or later, the giants, in pursuit of profits, will get into trouble. The administration should accept this and shield commercial banking from Wall Street's wild ways. ''The banks are there to serve the public,'' Mr. Volcker said, ''and that is what they should concentrate on. These other activities create conflicts of interest. They create risks, and if you try to control the risks with supervision, that just creates friction and difficulties'' and ultimately fails.

The bill we are introducing today precludes any member bank of the Federal Reserve System from being affiliated with any entity or organization that is engaged principally in the issue, flotation, underwriting, public sale or distribution of stocks, bonds, debentures or other securities. Essentially, commercial banks may no longer intermingle their business activities with investment banks. It is that simple.

Since the repeal of the Glass Steagall Act in 1999, this country has seen a new culture emerge in the financial industry: one of dangerous greed and excessive risk-taking. Commercial banks traditionally used people's deposits for the constructive purpose of main street loans. They did not engage in high risk ventures. Investment banks, however, managed rich people's money—those who can afford to take bigger risks in order to get a bigger return, and who bore their own losses. When these two worlds collided, the investment bank culture prevailed, cutting off the credit lifeblood of main street firms, demanding greater returns that were achievable only through high leverage and huge risk taking, and leaving taxpayers with the fallout.

When the glass wall dividing banks and securities firms was shattered, common sense and caution went out the door. The new mantra of ''bigger is better'' took over—and the path forward focused on short-term gains rather than long-term planning. Banks became overleveraged in their haste to keep up in the race. The more they lent, the more they made. Aggressive mortgages were underwritten for unqualified individuals who became homeowners saddled with loans they couldn't afford. Banks turned right around and bought portfolios of these shaky loans.

Sub-prime loans made up only five percent of all mortgage lending in 1998, but by the time the financial crisis peaked in late 2008, they were approaching 30 percent. Since January 2008, we have seen 159 state and national banks fail. In my home State of Arizona, five banks have shut their doors, leaving small businesses scrambling to find credit from other banks that may have already been overleveraged.

Banks sold sub-prime mortgages to their affiliates and other securities firms for securitization, while other financial institutions made risky bets on these and other assets for which they had no financial interest. As the market grew bigger, its foundation became shakier. It was like a house of cards waiting to fall, and fall it did.

In October 2008, the financial system was on the brink of collapse when Congress was forced to risk $700 billion of taxpayer dollars to bail out the industry. These financial institutions had become ''too big to fail.'' In fact, the special inspector general of the Troubled Asset Relief Program, TARP, testified before Congress earlier this year that ''total potential Federal Government support could reach $23.7 trillion'' to stabilize and support the financial system. Ironically, some of these ''too big to fail'' institutions have now become even bigger. An editorial from yesterday's New York Times stated:

> The truth is that the taxpayers are still very much on the hook for a banking system that is shaping up to be much riskier than the one that led to disaster.
>
> Big bank profits, for instance, still come mostly courtesy of taxpayers. Their trading earnings are financed by more than a trillion dollars' worth of cheap loans from the Federal Reserve, for which some of their most noxious assets are collateral. They benefit from immense federal loan guarantees, but they are not lending much. Lending to business, notably, is very tight.
>
> What profits the banks make come mostly from trading. Many big banks are happy to depend on the lifeline from the Fed and hang onto their toxic assets hoping for a rebound in prices. And the whole system has grown more concentrated. Bank of America was considered too big to fail before the meltdown. Since then, it has acquired Merrill Lynch. Wells Fargo took over Wachovia. JPMorgan Chase gobbled up Bear Stearns.
>
> If the goal is to reduce the number of huge banks that taxpayers must rescue at any cost, the nation is moving in the wrong direction. The growth of the biggest banks ensures that the next bailout will have to be even bigger. These banks will be more likely to take on excessive risk because they have the implicit assurance of rescue.

Excess was a common theme for banks/financial institutions in the mid-2000s—excessive risk, excessive bonuses. Times were good at Merrill Lynch in 2006 when the firm's risky mortgage business was booming. The firm made record earnings of $7.5 billion that year and paid out bonuses of $5 billion to $6 billion. Fast forward to late 2008 when Merrill's gambling left it in deep financial despair with losses exceeding $27 billion. Yet we witnessed the firm pay out another $3.6 billion in bonuses just before it was acquired by Bank of America.

Merrill Lynch wasn't alone in excess and greed. Citigroup posted a net loss of nearly $28 billion in 2008, yet paid out $5.3 billion in bonuses. Although Goldman Sachs earned only $2.3 billion, it paid out $4.8 billion in bonuses. Morgan Stanley earned $1.7 billion, and paid out nearly $4.5 billion in bonuses. JPMorgan Chase earned $5.6 billion and paid $8.7 billion in bonuses. If a company doesn't make money, how can it pay these bonuses? In this case, each of these firms was a recipient of billions in taxpayer-funded TARP money.

The Federal Government has set a dangerous precedent here. We sent the wrong message to the financial industry: you engage in bad, risky business practices, and when you get into trouble, the government will be there to save your hide. Many would call it a moral hazard. I call it a taxpayer-funded subsidy for risky behavior.

The consolidation of the banking world was also riddled with conflicts of interest, despite the purported firewalls that were put into place. If an investment bank had underwritten shares for a company that was now in financial trouble, the investment bank's commercial arm would feel pressure to lend the company money, despite the lack of merits to do so. The Banking Integrity Act of 2009 would eliminate some of these conflicts.

Today, it is time to put a stop to the taxpayer-financed excesses of Wall Street. No single financial institution should be so big that its failure would bring ruin to our economy and destroy millions of American jobs. This country would be better served if we limit the activities of these financial institutions. Banks should accept consumer deposits and invest conservatively, while investment banks engage in underwriting and sales of securities.

I urge my colleagues to support this bill.

By Mr. FEINGOLD:

S. 2890. A bill to amend the Buy American Act to increase the requirement for American-made content, to tighten the waiver provisions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. FEINGOLD. Mr. President, today I am introducing legislation to help American workers and companies.

The bill that I am introducing, the Buy American Improvement Act, focuses on the Federal Government's responsibility to support domestic manufacturers and workers and on the role of Federal procurement policy in achieving this goal. The reintroduction of this bill, which I first introduced in 2003, is part of my ongoing efforts to support American workers and manufacturing.

The Buy American Act of 1933 is the primary statute that governs Federal procurement. The name of this law accurately describes its purpose: to ensure that the Federal Government supports domestic companies and domestic workers by buying American-made goods. Regrettably, this law contains a number of loopholes that make it too easy for government agencies to buy foreign-made goods.

My bill, the Buy American Improvement Act, would strengthen the existing law by tightening its waiver provisions. Currently, the heads of Federal departments and agencies are given broad discretion to waive the act and buy foreign goods with little or no accountability. We should ensure that the Federal Government makes every effort to give Federal contracts to companies that will perform the work domestically. We should also ensure that certain types of industries do not leave the U.S. completely, thus making the Federal Government dependent on foreign sources for goods, such as plane or ship parts, that our military may need to acquire on short notice.

With unemployed workers in the U.S. facing a double-digit unemployment rate, the highest rate since 1983, it is critical Congress back efforts to support American workers. Many unemployed American workers are currently facing persistently long periods of unemployment; data from the Department of Labor showed that in October of this year, over 35 percent of unemployed workers had been without jobs for at least 27 weeks. Since December of 2007, the number of unemployed workers in the U.S. has grown by over 8 million, with manufacturing and construction workers being particularly hard-hit. We need to do all we can to promote fiscally responsible Federal policies that support the creation of American jobs to help get the unemployed and Funderemployed back to work. A strong Buy American Act should be part of the Federal effort to create and retain American jobs.

During another period of economic upheaval in the 1930s, Congress passed a series of laws designed to promote job growth in the U.S., including the Buy American Act of 1933, 41 U.S.C. §10a–10d. The Buy American Act requires the Federal Government to support domestic manufacturers and workers by purchasing American-made goods. Over the years, other domestic sourcing legislation has been passed to help support American industry, including the Buy America Act, 23 U.S.C. §313, which applies to Federal transportation funding. In addition, Congress included domestic sourcing requirements in the American Recovery and Reinvestment Act, P.L. 111–5, earlier this year because it recognized the importance of supporting American workers and American industry. My legislation would help American industry by making it more difficult to waive the Buy American Act and help ensure the Federal Government does all it can to support American workers.

I have a long record of supporting efforts to help taxpayers get the most bang for their buck and opposing wasteful Federal spending. I don't think anyone can argue that supporting American jobs is ''wasteful.'' We owe it to American manufacturers and their employees to make sure they get a fair shake. I would not support awarding a contract to an American company that is price-gouging, but we should make every effort to ensure that domestic sources for goods needed by the Federal Government do not dry up because American companies have been slightly underbid by foreign competitors.

The gaping loopholes in the Buy American Act and the trade agreements and defense procurement agreements that contain additional waivers of domestic source restrictions have combined to weaken our domestic

manufacturing base by allowing—and sometimes actually encouraging—the Federal Government to buy foreign-made goods. Congress can and should do more to support American companies and American workers. We must strengthen the Buy American Act and we must stop entering into bad trade agreements that send our jobs overseas and undermine our own domestic preference laws.

By strengthening Federal procurement policy, we can help to bolster our domestic manufacturers during these difficult times. As I have repeatedly noted, Congress cannot simply stand on the sidelines while tens of thousands of American manufacturing jobs have been and continue to be shipped overseas. While there may be no single solution to this problem one way in which Congress should act is by strengthening the Buy American Act.

By Mr. REID (for himself, Mr. ENSIGN, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 2891. A bill to further allocate and expand the avaiability of hydroelectric power generated at Hoover Dam, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2891

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Hoover Power Allocation Act of 2009''.

SEC. 2. ALLOCATION OF CONTRACTS FOR POWER.

(a) SCHEDULE A POWER.—Section 105(a)(1)(A) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(a)(1)(A)) is amended—

(1) by striking ''renewal'';

(2) by striking ''June 1, 1987'' and inserting ''October 1, 2017''; and

(3) by striking Schedule A and inserting the following:

''SCHEDULE A

Long term Schedule A contingent capacity and associated firm energy for offers of contracts to Boulder Canyon project contractors

Contractor	Contingent capacity (kW)	Firm Energy (thousands of kWh)		
		Summer	Winter	Total
Metropolitan Water District of Southern California	249,948	859,163	368,212	1,227,375
City of Los Angeles	495,732	464,108	199,175	663,283
Southern California Edison Company	280,245	166,712	71,448	238,160
City of Glendale	18,178	45,028	19,297	64,325
City of Pasadena	11,108	38,622	16,553	55,175
City of Burbank	5,176	14,070	6,030	20,100
Arizona Power Authority	190,869	429,582	184,107	613,689
Colorado River Commission of Nevada	190,869	429,582	184,107	613,689
United States, for Boulder City	20,198	53,200	22,800	76,000
Totals	1,462,323	2,500,067	1,071,729	3,571,796''.

(b) SCHEDULE B POWER.—Section 105(a)(1)(B) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(a)(1)(B)) is amended to read as follows:

''(B) To each existing contractor for power generated at Hoover Dam, a contract, for delivery commencing October 1, 2017, of the amount of contingent capacity and firm energy specified for that contractor in the following table:

''SCHEDULE B

Long term Schedule B contingent capacity and associated firm energy for offers of contracts to Boulder Canyon project contractors

Contractor	Contingent capacity (kW)	Firm Energy (thousands of kWh)		
		Summer	Winter	Total
City of Glendale	2,020	2,749	1,194	3,943
City of Pasadena	9,089	2,399	1,041	3,440
City of Burbank	15,149	3,604	1,566	5,170
City of Anaheim	40,396	34,442	14,958	49,400
City of Azusa	4,039	3,312	1,438	4,750
City of Banning	2,020	1,324	576	1,900
City of Colton	3,030	2,650	1,150	3,800
City of Riverside	30,296	25,831	11,219	37,050
City of Vernon	22,218	18,546	8,054	26,600
Arizona	189,860	140,600	60,800	201,400
Nevada	189,860	273,600	117,800	391,400
Totals	507,977	509,057	219,796	728,853''.

(c) SCHEDULE C POWER.—Section 105(a)(1)(C) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(a)(1)(C)) is amended—

(1) by striking ''June 1, 1987'' and inserting ''October 1, 2017''; and

(2) by striking Schedule C and inserting the following:

''SCHEDULE C

Excess Energy

Priority of entitlement to excess energy	State
First: Meeting Arizona's first priority right to delivery of excess energy which is equal in each year of operation to 200 million kilowatthours: Provided, That in the event excess energy in the amount of 200 million kilowatthours is not generated during any year of operation, Arizona shall accumulate a first right to delivery of excess energy subsequently generated in an amount not to exceed 600 million kilowatthours, inclusive of the current year's 200 million kilowatthours. Said first right of delivery shall accrue at a rate of 200 million kilowatthours per year for each year excess energy in an amount of 200 million kilowatthours is not generated, less amounts of excess energy delivered.	Arizona

"SCHEDULE C—Continued

Excess Energy

Priority of entitlement to excess energy	State
Second: Meeting Hoover Dam contractual obligations under Schedule A of subsection (a)(1)(A), under Schedule B of subsection (a)(1)(B), and under Schedule D of subsection (a)(2), not exceeding 26 million kilowatthours in each year of operation.	Arizona, Nevada, and California
Third: Meeting the energy requirements of the three States, such available excess energy to be divided equally among the States.	Arizona, Nevada, and California".

(d) SCHEDULE D POWER.—Section 105(a) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(a)) is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

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

"(2)(A) The Secretary of Energy is authorized to and shall create from the apportioned allocation of contingent capacity and firm energy adjusted from the amounts authorized in this Act in 1984 to the amounts shown in Schedule A and Schedule B, as modified by the Hoover Power Allocation Act of 2009, a resource pool equal to 5 percent of the full rated capacity of 2,074,000 kilowatts, and associated firm energy, as shown in Schedule D (referred to in this section as 'Schedule D contingent capacity and firm energy'):

"SCHEDULE D

Long term Schedule D resource pool of contingent capacity and associated firm energy for new allottees

State	Contingent capacity (kW)	Firm Energy (thousands of kWh)		
		Summer	Winter	Total
New Entities Allocated by the Secretary of Energy	69,170	105,637	45,376	151,013
New Entities Allocated by State				
Arizona	11,510	17,580	7,533	25,113
California	11,510	17,580	7,533	25,113
Nevada	11,510	17,580	7,533	25,113
Totals	103,700	158,377	67,975	226,352

"(B) The Secretary of Energy shall offer Schedule D contingency capacity and firm energy to entities not receiving contingent capacity and firm energy under subparagraphs (A) and (B) of paragraph (1) (referred to in this section as 'new allottees') for delivery commencing October 1, 2017 pursuant to this subsection. In this subsection, the term 'the marketing area for the Boulder City Area Projects' shall have the same meaning as in Appendix A of the General Consolidated Power Marketing Criteria or Regulations for Boulder City Area Projects published in the Federal Register on December 28, 1984 (49 Fed. Reg. 50582 et seq.) (referred to in this section as the 'Criteria').

"(C)(i) Within 18 months of the date of enactment of the Hoover Power Allocation Act of 2009, the Secretary of Energy shall allocate through the Western Area Power Administration (referred to in this section as 'Western'), for delivery commencing October 1, 2017, for use in the marketing area for the Boulder City Area Projects 66.7 percent of the Schedule D contingent capacity and firm energy to new allottees that are located within the marketing area for the Boulder City Area Projects and that are—

"(I) eligible to enter into contracts under section 5 of the Boulder Canyon Project Act (43 U.S.C. 617d); or

"(II) federally recognized Indian tribes.

"(ii) In the case of Arizona and Nevada, Schedule D contingent capacity and firm energy for new allottees shall be offered through the Arizona Power Authority and the Colorado River Commission of Nevada, respectively.

"(iii) In performing its allocation of Schedule D power provided for in this subparagraph, Western shall apply criteria developed in consultation with the States of Arizona, Nevada, and California.

"(D) Within 1 year of the date of enactment of the Hoover Power Allocation Act of 2009, the Secretary of Energy also shall allocate, for delivery commencing October 1, 2017, for use in the marketing area for the Boulder City Area Projects 11.1 percent of the Schedule D contingent capacity and firm energy to each of—

"(i) the Arizona Power Authority for allocation to new allottees in the State of Arizona;

"(ii) the Colorado River Commission of Nevada for allocation to new allottees in the State of Nevada; and

"(iii) Western for allocation to new allottees within the State of California.

"(E) Each contract offered pursuant to this subsection shall include a provision requiring the new allottee to pay a proportionate share of its State's respective contribution (determined in accordance with each State's applicable funding agreement) to the cost of the Lower Colorado River Multi-Species Conservation Program (as defined in section 9401 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1327)), and to execute the Boulder Canyon Project Implementation Agreement Contract No. 95–PAO–10616 (referred to in this section as the 'Implementation Agreement').

"(F) Any of the 66.7 percent of Schedule D contingent capacity and firm energy that is to be allocated by Western that is not allocated and placed under contract by October 1, 2017, shall be returned to those contractors shown in Schedule A and Schedule B in the same proportion as those contractors' allocations of Schedule A and Schedule B contingent capacity and firm energy. Any of the 33.3 percent of Schedule D contingent capacity and firm energy that is to be distributed within the States of Arizona, Nevada, and California that is not allocated and placed under contract by October 1, 2017, shall be returned to the Schedule A and Schedule B contractors within the State in which the Schedule D contingent capacity and firm energy were to be distributed, in the same proportion as those contractors' allocations of Schedule A and Schedule B contingent capacity and firm energy.".

(e) TOTAL OBLIGATIONS.—Paragraph (3) of section 105(a) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(a)) (as redesignated as subsection (d)(1)) is amended—

(1) in the first sentence, by striking "schedule A of subsection (a)(1)(A) of this section and schedule B of subsection (a)(1)(B) of this section" and inserting "pursuant to paragraphs (1)(A), (1)(B), and (2)"; and

(2) in the second sentence—

(A) by striking "any" and inserting "each";

(B) by striking "schedule C" and inserting "Schedule C"; and

(C) by striking "schedules A and B" and inserting "Schedules A, B, and D".

(f) POWER MARKETING CRITERIA.—Paragraph (4) of section 105(a) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(a)) (as redesignated as subsection (d)(1)) is amended to read as follows:

"(4) Subdivision E of the Criteria shall be deemed to have been modified to conform to this section, as modified by the Hoover Power Allocation Act of 2009. The Secretary of Energy shall cause to be included in the Federal Register a notice conforming the text of the regulations to such modifications.".

(g) CONTRACT TERMS.—Paragraph (5) of section 105(a) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(a)) (as redesignated as subsection (d)(1)) is amended—

(1) by striking subparagraph (A) and inserting the following:

"(A) in accordance with section 5(a) of the Boulder Canyon Project Act (43 U.S.C. 617d(a)), expire September 30, 2067;";

(2) in the proviso of subparagraph (B)—

(A) by striking "shall use" and inserting "shall allocate"; and

(B) by striking "and" after the semicolon at the end;

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

"(D) authorize and require Western to collect from new allottees a pro rata share of Hoover Dam repayable advances paid for by contractors prior to October 1, 2017, and remit such amounts to the contractors that paid such advances in proportion to the amounts paid by such contractors as specified in section 6.4 of the Implementation Agreement;

"(E) permit transactions with an independent system operator; and

''(F) contain the same material terms included in section 5.6 of those long term contracts for purchases from the Hoover Power Plant that were made in accordance with this Act and are in existence on the date of enactment of the Hoover Power Allocation Act of 2009.''.

(h) EXISTING RIGHTS.—Section 105(b) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(b)) is amended by striking ''2017'' and inserting ''2067''.

(i) OFFERS.—Section 105(c) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(c)) is amended to read as follows:

''(c) OFFER OF CONTRACT TO OTHER ENTITIES.—If any existing contractor fails to accept an offered contract, the Secretary of Energy shall offer the contingent capacity and firm energy thus available first to other entities in the same State listed in Schedule A and Schedule B, second to other entities listed in Schedule A and Schedule B, third to other entities in the same State which receive contingent capacity and firm energy under subsection (a)(2) of this section, and last to other entities which receive contingent capacity and firm energy under subsection (a)(2) of this section.''.

(j) AVAILABILITY OF WATER.—Section 105(d) of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a(d) is amended to read as follows:

''(d) WATER AVAILABILITY.—Except with respect to energy purchased at the request of an allottee pursuant to subsection (a)(3), the obligation of the Secretary of Energy to deliver contingent capacity and firm energy pursuant to contracts entered into pursuant to this section shall be subject to availability of the water needed to produce such contingent capacity and firm energy. In the event that water is not available to produce the contingent capacity and firm energy set forth in Schedule A, Schedule B, and Schedule D, the Secretary of Energy shall adjust the contingent capacity and firm energy offered under those Schedules in the same proportion as those contractors' allocations of Schedule A, Schedule B, and Schedule D contingent capacity and firm energy bears to the full rated contingent capacity and firm energy obligations.''.

(k) CONFORMING AMENDMENTS.—Section 105 of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a) is amended—

(1) by striking subsections (e) and (f); and

(2) by redesignating subsections (g), (h), and (i) as subsections (e), (f), and (g), respectively.

(l) CONTINUED CONGRESSIONAL OVERSIGHT.—Subsection (e) of section 105 of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a)) (as redesignated by subsection (k)(2)) is amended—

(1) in the first sentence, by striking ''the renewal of''; and

(2) in the second sentence, by striking ''June 1, 1987, and ending September 30, 2017'' and inserting ''October 1, 2017, and ending September 30, 2067''.

(m) COURT CHALLENGES.—Subsection (f)(1) of section 105 of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a) (as redesignated by subsection (k)(2)) is amended in the first sentence by striking ''this Act'' and inserting ''the Hoover Power Allocation Act of 2009''.

(n) REAFFIRMATION OF CONGRESSIONAL DECLARATION OF PURPOSE.—Subsection (g) of section 105 of the Hoover Power Plant Act of 1984 (43 U.S.C. 619a) (as redesignated by subsection (k)(2)) is amended—

(1) by striking ''subsections (c), (g), and (h) of this section'' and inserting ''this Act''; and

(2) by striking ''June 1, 1987, and ending September 30, 2017'' and inserting ''October 1, 2017, and ending September 30, 2067''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 376—HONORING THE 60TH ANNIVERSARY OF THE ESTABLISHMENT OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND THE HASHEMITE KINGDOM OF JORDAN, THE 10TH ANNIVERSARY OF THE ACCESSION TO THE THRONE OF HIS MAJESTY KING ABDULLAH II IBN AL HUSSEIN, AND FOR OTHER PURPOSES

Mr. INOUYE (for himself, Mr. GREGG, Mr. LIEBERMAN, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 376

Whereas the Hashemite Kingdom of Jordan achieved independence on May 25, 1946;

Whereas the United States recognized Jordan as an independent state in a White House announcement on January 31, 1949;

Whereas diplomatic relations and the American Legation in Jordan were established on February 18, 1949, when United States diplomat Wells Stabler presented his credentials as Chargé d'Affaires in Amman;

Whereas, for 60 years, the United States and Jordan have enjoyed a close relationship and have worked together to advance issues ranging from the promotion of Middle East peace to advancing the socio-economic development of the people of Jordan, as well as the threat to both posed by al Qaeda and violent extremism;

Whereas, from 1952 to 1999, King Hussein charted a moderate path for his country;

Whereas, for decades, the United States has been Jordan's strongest international partner;

Whereas, throughout his reign, King Hussein looked for opportunities to realize his dream of a more peaceful Middle East by working to solve intra-Arab disputes and engaging successive Prime Ministers of Israel in the search for peace;

Whereas King Hussein and Prime Minister of Israel Yitzhak Rabin signed the historic Jordan-Israel peace treaty in 1994, ending nearly 50 years of war between the neighboring countries;

Whereas the United States lost a close friend and a crucial partner when King Hussein passed away in 1999;

Whereas King Hussein was succeeded by his son, King Abdullah II, who has continued his father's work to improve the lives of the people of Jordan while also seeking to bring peace to the region;

Whereas, in the aftermath of the September 11, 2001, terrorist attacks, the Government of Jordan has been an instrumental partner in the fight against al Qaeda, has provided crucial assistance in Iraq, and has shouldered a heavy burden in providing refuge to a significant portion of the Iraqi refugee population;

Whereas, through his 2004 Amman Message, King Abdullah II has been a leading Arab voice in trying to reaffirm the true path of Islam;

Whereas, in November 2005, al Qaeda terrorists struck three hotels in Amman, Jordan, thereby uniting the people of Jordan and the United States in grief over the lives lost at this act of terrorism; and

Whereas King Abdullah II begins his second decade on the Hashemite throne by redoubling his efforts for peace in the region as the Jordan-United States partnership enters its seventh decade: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 60th anniversary of the close relationship between the United States and the Hashemite Kingdom of Jordan;

(2) expresses its profound admiration and gratitude for the friendship of the people of Jordan;

(3) congratulates His Majesty King Abdullah II on 10 years of enlightened and progressive rule; and

(4) shares the hope of His Majesty King Abdullah II and the people of Jordan for a more peaceful Middle East.

SENATE CONCURRENT RESOLUTION 48—RECOGNIZING THE LEADERSHIP AND HISTORICAL CONTRIBUTIONS OF DR. HECTOR GARCIA TO THE HISPANIC COMMUNITY AND HIS REMARKABLE EFFORTS TO COMBAT RACIAL AND ETHNIC DISCRIMINATION IN THE UNITED STATES OF AMERICA

Mr. MENENDEZ submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 48

Whereas Dr. Hector Garcia changed the lives of Americans from all walks of life;

Whereas Dr. Hector Garcia was born in Mexico on January 17, 1914, and immigrated to Mercedes, Texas, in 1918;

Whereas Dr. Hector Garcia is an honored alumnus of the School of Medicine at the University of Texas Medical Branch, Class of 1940;

Whereas Dr. Hector Garcia fought in World War II, specifically in North Africa and Italy, attained the rank of Major, and was awarded the Bronze Star with six battle stars;

Whereas once the Army discovered he was a physician, Dr. Hector Garcia was asked to practice his profession by treating his fellow soldiers;

Whereas Dr. Hector Garcia moved to Corpus Christi, Texas, after the war, and opened a medical practice; rarely charged his indigent patients, and was recognized as a passionate and dedicated physician;

Whereas he first became known in south Texas for his public health messages on the radio with topics ranging from infant diarrhea to tuberculosis;

Whereas Dr. Hector Garcia continued his public service and advocacy and became founder of the American G.I. Forum, a Mexican-American veterans association, which initiated countless efforts on behalf of Americans to advance opportunities in health care, veterans' benefits, and civil rights equality;

Whereas his civil rights movement would then grow to also combat discrimination in housing, jobs, education, and voting rights;

Whereas President Kennedy appointed Dr. Hector Garcia a member of the American Treaty Delegation for the Mutual Defense Agreement between the United States and the Federation of the West Indies;

Whereas in 1967, President Lyndon Johnson appointed Dr. Hector Garcia as alternate ambassador to the United Nations where he gave the first speech by an American before the United Nations in a language other than English;

Whereas Dr. Hector Garcia was named member of the Texas Advisory Committee to the United States Commission on Civil Rights;

Whereas President Reagan presented Dr. Hector Garcia the Nation's highest civilian

award, the Medal of Freedom, in 1984 for meritorious service to his country, the first Mexican American to receive this recognition; and

Whereas Pope John Paul II recognized him with the Pontifical Equestrian Order of Pope Gregory the Great: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) encourages—

(A) teachers of primary schools and secondary schools to launch educational campaigns to inform students about the lifetime of accomplishments by Dr. Hector Garcia; and

(B) all people of the United States to educate themselves about the legacy of Dr. Hector Garcia; and

(2) recognizes the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and ethnic discrimination in the United States of America.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3242. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees , and for other purposes; which was ordered to lie on the table.

SA 3243. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3244. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3245. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3246. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3247. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3248. Mr. REID proposed an amendment to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

SA 3249. Mr. REID proposed an amendment to the bill H.R. 3326, supra.

SA 3250. Mr. REID proposed an amendment to amendment SA 3249 proposed by Mr. REID to the bill H.R. 3326, supra.

SA 3251. Mr. REID proposed an amendment to amendment SA 3250 proposed by Mr. REID to the amendment SA 3249 proposed by Mr. REID to the bill H.R. 3326, supra.

SA 3252. Mr. REID proposed an amendment to amendment SA 3248 proposed by Mr. REID to the bill H.R. 3326, supra.

SA 3253. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table.

SA 3254. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3255. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3256. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3257. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 3258. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3242. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 1053, between lines 2 and 3, insert the following:

SEC. 3403A. IMPROVEMENTS TO THE INDEPENDENT MEDICARE ADVISORY BOARD.

Section 1899A of the Social Security Act, as added by section 3403, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by redesignating subparagraph (B) as subparagraph (C); and

(ii) by inserting after subparagraph (A) the following new subparagraph:

''(B) PROMULGATION OF REGULATIONS TO PROVIDE FOUNDATION FOR BOARD PROPOSALS.—

''(i) IN GENERAL.—Before developing any proposal under this section, the Board, after consultation with the Secretary, shall promulgate regulations through which the Board interprets the provisions of this section that concern the duties of the Board in order to provide a substantive and procedural foundation for carrying out such duties. Such regulations shall be promulgated in accordance with the procedures under section 553 of title 5, United States Code, that relate to substantive rules.

''(ii) RULE OF CONSTRUCTION.—Clause (i) may not be construed as requiring that proposals under this section be promulgated in accordance with the rulemaking procedures referred to in clause (i).'';

(B) in paragraph (2), by adding at the end the following new subparagraphs:

''(G) CONSULTATION WITH INDEPENDENT ADVISORY COMMITTEE.—

''(i) IN GENERAL.—Not later than 60 days after the date of the enactment of the Patient Protection and Affordable Care Act, the Secretary shall establish an advisory committee to review, in accordance with procedures established in the Federal Advisory Committee Act, each proposal to be submitted to Congress under this section.

''(ii) COMPOSITION.—The advisory committee under clause (i) (referred to in this subparagraph as the 'Independent Committee') shall be composed of not more than 15 members who are medical and scientific experts appointed from among individuals who are not officers or employees of the Federal Government.

''(iii) REVIEW AND REPORT.—The Board shall submit a draft copy of each proposal to be submitted to the President under this section to the Independent Committee for its review. The Board shall submit such draft copy by not later than September 1 of the year preceding the year for which the proposal is to be submitted. Not later than November 1 of such year, the Independent Committee shall submit a report to Congress and the Board on the results of such review, including matters reviewed pursuant to the succeeding provisions of this subparagraph.

''(iv) CLINICAL APPROPRIATENESS OF PAYMENT RESTRICTIONS AND COVERAGE RESTRICTIONS.—The review of the Independent Committee of a recommendation in a proposal under this section shall, with respect to any changes in items or services under this title, include evaluating the differences in treatment guidelines and variables of treatment costs for items and services under this title that are subject to a reduction in payment or restriction in coverage pursuant to the recommendation. The purpose of such evaluation shall be to ensure that the recommendation applies only to those items and services for which such comparisons may be made in a clinically appropriate manner.

''(v) SUBSTANTIAL EVIDENCE REGARDING CERTAIN RECOMMENDATIONS.—With respect to a recommendation in a proposal of the Board that reduces payment or restricts coverage for items and services under this title, the Independent Committee shall determine whether the recommendation is supported by substantial evidence.

''(vi) SPECIAL POPULATIONS; HEALTH DISPARITIES.—In reviewing a recommendation in a proposal under this section, the Independent Committee shall evaluate the effect on special populations and whether the recommendation is consistent with Federal policies to reduce health disparities.

''(vii) PUBLIC MEETING TO PRESENT AND DISCUSS FINDINGS.—Before issuing a report under clause (iii), the Independent Committee shall hold a public meeting at which it presents the findings of its review under such clause and seeks comments from individuals attending the meeting.

''(H) PUBLICATION OF INITIAL PROPOSAL IN FEDERAL REGISTER.—

''(i) IN GENERAL.—Not later than October 1 preceding the proposal year involved, the Board shall publish in the Federal Register an initial proposal of the Board under this section and shall seek comments from the public on the proposal. The final proposal shall be published in the Federal Register on the same date as the date on which such proposal is submitted to the President under paragraph (3)(A) (or under paragraph (5), as the case may be).

''(ii) LIMITATION ON JUDICIAL REVIEW.—The publication under clause (i) of a final proposal of the Board does not constitute final agency action for purposes of section 704 of title 5, United States Code.''; and

(C) in paragraph (3)(B), by striking clause (ii) and inserting the following new clause:

''(ii) taking into account comments received from the public under paragraph (2)(H)(i), an explanation of each recommendation contained in the proposal and the reasons for including such recommendation, and a statement of whether and to what extent the Board considered it feasible—

''(I) to protect and improve Medicare beneficiaries' access to necessary and evidence-based items and services, including in rural and frontier areas; and

''(II) to otherwise comply with the requirements of paragraph (2)(B); and''; and

(2) in subsection (e), by striking paragraph (5) and inserting the following new paragraph:

''(5) LIMITATION ON REVIEW.—

''(A) IN GENERAL.—There shall be no administrative or judicial review under section 1869, section 1878, or otherwise of the implementation by the Secretary under this subsection of the recommendations contained in a proposal, except as provided in subparagraph (B).

''(B) JUDICIAL REVIEW OF SCOPE OF AGENCY AUTHORITY; COMPLIANCE WITH PROCEDURAL SAFEGUARDS.—

''(i) IN GENERAL.—An aggrieved beneficiary or other party may, in accordance with the procedures that apply under section 1869(f)(3), seek review by a court of competent jurisdiction of the implementation by the Secretary of any recommendation in a proposal of the Board if the moving party alleges that the only issue of law is the constitutionality of a recommendation, or one or more issues described in clause (ii). For purposes of this subparagraph, a regulation, determination, or ruling by the Secretary under such a recommendation is final agency action within the meaning of section 704 of title 5, United States Code.

''(ii) RELEVANT ISSUES; PROCEDURAL SAFEGUARDS.—For purposes of clause (i), the court shall hold unlawful and set aside a regulation, determination, or ruling by the Secretary under a recommendation in a proposal of the Board if the court finds that—

''(I) the regulation, determination, or ruling exceeds the scope of the recommendation;

''(II) the Board failed to promulgate regulations in accordance with subsection (c)(1)(B) (relating to a substantive and procedural foundation for carrying out the duties of the Board);

''(III) the Board failed to comply with subsection (c)(2)(A)(ii) (relating to prohibitions against rationing health care; increasing beneficiary cost-sharing, such as deductibles, coinsurance, and copayments; or otherwise restricting benefits or modifying eligibility criteria);

''(IV) the Board failed to comply with subparagraph (D), (E), (G), or (H) of subsection (c)(2) (relating to review by the Medicare Payment Advisory Board, review by the Secretary, review by an independent advisory panel of experts, and publishing initial and final proposals of the Board in the Federal Register, respectively); or

''(V) the Board failed to comply with subsection (c)(3)(B)(ii) (relating to providing explanations of recommendations, providing statements of whether certain duties are feasible, and taking into account public comments).

''(iii) SUBSTANTIAL EVIDENCE REGARDING CERTAIN RECOMMENDATIONS.—With respect to a recommendation in a proposal of the Board under this section that reduces payment or restricts coverage for items and services under this title:

''(I) The review by a court under clause (i) of the implementation by the Secretary of the recommendation shall include a review of the basis of the recommendation.

''(II) The court shall hold unlawful and set aside the recommendation, and any regulation, determination, or ruling by the Secretary under the recommendation, if the court finds that the recommendation is unsupported by substantial evidence within the meaning of section 706 of title 5, United States Code.''.

SA 3243. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 1790, between lines 9 and 10, insert the following:

SEC. 6508. REQUIREMENT FOR ALL MEDICAID AND CHIP APPLICANTS TO PRESENT AN IDENTIFICATION DOCUMENT.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as amended by section 211(a)(1)(A)(i) of Public Law 111–3 and section 2303(a)(2) of this Act, is amended—

(1) in subsection (a)(46), —

(A) in subparagraph (A), by striking ''and'' after the semicolon;

(B) in subparagraph (B), by adding ''and'' after the semicolon; and

(C) by adding at the end the following:

''(C) provide that each applicant for medical assistance (or the parent or guardian of an applicant who has not attained age 18), regardless of whether the applicant is described in paragraph (2) of section 1903(x), shall present an identification document described in subsection (jj) when applying for medical assistance (and shall be provided with at least the reasonable opportunity to present such identification as is provided under clauses (i) and (ii) of section 1137(d)(4)(A) to an individual for the submittal to the State of evidence indicating a satisfactory immigration status;''; and

(2) by adding at the end the following:

''(jj) For purposes of subsection (a)(46)(C), a document described in this subsection is—

''(1) in the case of an individual who is a national of the United States—

''(A) a United States passport, or passport card issued pursuant to the Secretary of State's authority under the first section of the Act of July 3, 1926 (44 Stat. 887, Chapter 772; 22 U.S.C. 211a); or

''(B) a driver's license or identity card issued by a State, the Commonwealth of the Northern Mariana Islands, or an outlying possession of the United States that—

''(i) contains a photograph of the individual and other identifying information, including the individual's name, date of birth, gender, and address; and

''(ii) contains security features to make the license or card resistant to tampering, counterfeiting, and fraudulent use;

''(2) in the case of an alien lawfully admitted for permanent residence in the United States, a permanent resident card, as specified by the Secretary of Homeland Security that meets the requirements of clauses (i) and (ii) of paragraph (1)(B);

''(3) in the case of an alien who is authorized to be employed in the United States, an employment authorization card, as specified by the Secretary of Homeland Security that meets the requirements of clauses (i) and (ii) of paragraph (1)(B); or

''(4) in the case of an individual who is unable to obtain a document described in paragraph (1), (2), or (3), a document designated by the Secretary of Homeland Security that meets the requirements of clauses (i) and (ii) of paragraph (1)(B).''.

(b) APPLICATION TO CHIP.—Section 2105(c)(9)(A) (42 U.S.C. 1397ee(c)(9)(A)) is amended by striking ''section 1902(a)(46)(B)'' and inserting ''subparagraphs (B) and (C) of subsection (a)(46) and subsection (jj) of section 1902''.

SA 3244. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle __—Improved Patient Access and Medical Care

PART I—EPSDT BENEFITS FOR CHILDREN

SEC. __01. EPSDT BENEFITS FOR CHILDREN.

Section 1902(gg) of the Social Security Act, as added by section 2001(b)(2) of this Act, is amended by redesignating paragraph (4) as paragraph (5) and inserting after paragraph (3) the following:

''(4) STATES CERTIFYING ESSENTIAL BENEFITS AND COST-SHARING PROTECTIONS FOR CHILDREN IN FAMILIES WITH INCOME UP TO 300 PERCENT OF THE POVERTY LINE.—The requirements under paragraphs (1) and (2) and section 2105(d)(3)(A) shall not apply to a State with respect to individuals whose income exceeds 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved for any fiscal year or portion of a fiscal year that occurs on or after the date on which the State certifies to the Secretary that—

''(A) coverage available through an Exchange established by the State under section 1311 of the Patient Protection and Affordable Care Act for children who reside in the State, are under 19 years of age, and are in families with income that does not exceed 300 percent of the poverty line (as so defined), is at least the same as the level of benefits and cost-sharing under the State child health plan under title XXI (whether implemented under that title, this title, or both); and

''(B) the State Medicaid agency and qualified health plans offered through such an Exchange have established adequate procedures, with respect to such children, to ensure access to, and the coordinated provision of—

''(i) services described in section 1905(a)(4)(B) (relating to early and periodic screening, diagnostic, and treatment services defined in section 1905(r)) and provided in accordance with the requirements of section 1902(a)(43); and

''(ii) cost-sharing protections consistent with section 2103(e) of the Social Security Act.

A State may comply with the requirements of subparagraph (B) by providing the services and cost-sharing protections required under that subparagraph directly under the State plan under title XIX or title XXI of the Social Security, or under arrangements entered into with qualified health plans offered through such an Exchange. Expenditures by the State to provide such services and cost-sharing protections shall be treated as medical assistance for purposes of section 1903(a) and, notwithstanding section 1905(b), the enhanced FMAP under section 2105(b) shall

apply to such expenditures. In no event shall a State receive a payment under section 1903(a) for any such expenditures made prior to the date on which an Exchange is established by the State and operating under section 1311 of the Patient Protection and Affordable Care Act.''.

PART II—MEDICAL CARE ACCESS PROTECTION

SEC. __11. SHORT TITLE OF PART.

This part may be cited as the ''Medical Care Access Protection Act of 2009'' or the ''MCAP Act''.

SEC. __12. FINDINGS AND PURPOSE.

(a) FINDINGS.—

(1) EFFECT ON HEALTH CARE ACCESS AND COSTS.—Congress finds that our current civil justice system is adversely affecting patient access to health care services, better patient care, and cost-efficient health care, in that the health care liability system is a costly and ineffective mechanism for resolving claims of health care liability and compensating injured patients, and is a deterrent to the sharing of information among health care professionals which impedes efforts to improve patient safety and quality of care.

(2) EFFECT ON INTERSTATE COMMERCE.—Congress finds that the health care and insurance industries are industries affecting interstate commerce and the health care liability litigation systems existing throughout the United States are activities that affect interstate commerce by contributing to the high costs of health care and premiums for health care liability insurance purchased by health care system providers.

(3) EFFECT ON FEDERAL SPENDING.—Congress finds that the health care liability litigation systems existing throughout the United States have a significant effect on the amount, distribution, and use of Federal funds because of—

(A) the large number of individuals who receive health care benefits under programs operated or financed by the Federal Government;

(B) the large number of individuals who benefit because of the exclusion from Federal taxes of the amounts spent to provide them with health insurance benefits; and

(C) the large number of health care providers who provide items or services for which the Federal Government makes payments.

(b) PURPOSE.—It is the purpose of this part to implement reasonable, comprehensive, and effective health care liability reforms designed to—

(1) improve the availability of health care services in cases in which health care liability actions have been shown to be a factor in the decreased availability of services;

(2) reduce the incidence of ''defensive medicine'' and lower the cost of health care liability insurance, all of which contribute to the escalation of health care costs;

(3) ensure that persons with meritorious health care injury claims receive fair and adequate compensation, including reasonable noneconomic damages;

(4) improve the fairness and cost-effectiveness of our current health care liability system to resolve disputes over, and provide compensation for, health care liability by reducing uncertainty in the amount of compensation provided to injured individuals; and

(5) provide an increased sharing of information in the health care system which will reduce unintended injury and improve patient care.

SEC. __13. DEFINITIONS.

In this part:

(1) ALTERNATIVE DISPUTE RESOLUTION SYSTEM; ADR.—The term ''alternative dispute resolution system'' or ''ADR'' means a system that provides for the resolution of health care lawsuits in a manner other than through a civil action brought in a State or Federal court.

(2) CLAIMANT.—The term ''claimant'' means any person who brings a health care lawsuit, including a person who asserts or claims a right to legal or equitable contribution, indemnity or subrogation, arising out of a health care liability claim or action, and any person on whose behalf such a claim is asserted or such an action is brought, whether deceased, incompetent, or a minor.

(3) COLLATERAL SOURCE BENEFITS.—The term ''collateral source benefits'' means any amount paid or reasonably likely to be paid in the future to or on behalf of the claimant, or any service, product or other benefit provided or reasonably likely to be provided in the future to or on behalf of the claimant, as a result of the injury or wrongful death, pursuant to—

(A) any State or Federal health, sickness, income-disability, accident, or workers' compensation law;

(B) any health, sickness, income-disability, or accident insurance that provides health benefits or income-disability coverage;

(C) any contract or agreement of any group, organization, partnership, or corporation to provide, pay for, or reimburse the cost of medical, hospital, dental, or income disability benefits; and

(D) any other publicly or privately funded program.

(4) COMPENSATORY DAMAGES.—The term ''compensatory damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities, damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature. Such term includes economic damages and noneconomic damages, as such terms are defined in this section.

(5) CONTINGENT FEE.—The term ''contingent fee'' includes all compensation to any person or persons which is payable only if a recovery is effected on behalf of one or more claimants.

(6) ECONOMIC DAMAGES.—The term ''economic damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities.

(7) HEALTH CARE GOODS OR SERVICES.—The term ''health care goods or services'' means any goods or services provided by a health care institution, provider, or by any individual working under the supervision of a health care provider, that relates to the diagnosis, prevention, care, or treatment of any human disease or impairment, or the assessment of the health of human beings.

(8) HEALTH CARE INSTITUTION.—The term ''health care institution'' means any entity licensed under Federal or State law to provide health care services (including but not limited to ambulatory surgical centers, assisted living facilities, emergency medical services providers, hospices, hospitals and hospital systems, nursing homes, or other entities licensed to provide such services).

(9) HEALTH CARE LAWSUIT.—The term ''health care lawsuit'' means any health care liability claim concerning the provision of health care goods or services affecting interstate commerce, or any health care liability action concerning the provision of (or the failure to provide) health care goods or services affecting interstate commerce, brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider or a health care institution regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action, in which the claimant alleges a health care liability claim.

(10) HEALTH CARE LIABILITY ACTION.—The term ''health care liability action'' means a civil action brought in a State or Federal Court or pursuant to an alternative dispute resolution system, against a health care provider or a health care institution regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action, in which the claimant alleges a health care liability claim.

(11) HEALTH CARE LIABILITY CLAIM.—The term ''health care liability claim'' means a demand by any person, whether or not pursuant to ADR, against a health care provider or health care institution, including third-party claims, cross-claims, counter-claims, or contribution claims, which are based upon the provision of, use of, or payment for (or the failure to provide, use, or pay for) health care services, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action.

(12) HEALTH CARE PROVIDER.—

(A) IN GENERAL.—The term ''health care provider'' means any person (including but not limited to a physician (as defined by section 1861(r) of the Social Security Act (42 U.S.C. 1395x(r)), registered nurse, dentist, podiatrist, pharmacist, chiropractor, or optometrist) required by State or Federal law to be licensed, registered, or certified to provide health care services, and being either so licensed, registered, or certified, or exempted from such requirement by other statute or regulation.

(B) TREATMENT OF CERTAIN PROFESSIONAL ASSOCIATIONS.—For purposes of this part, a professional association that is organized under State law by an individual physician or group of physicians, a partnership or limited liability partnership formed by a group of physicians, a nonprofit health corporation certified under State law, or a company formed by a group of physicians under State law shall be treated as a health care provider under subparagraph (A).

(13) MALICIOUS INTENT TO INJURE.—The term ''malicious intent to injure'' means intentionally causing or attempting to cause physical injury other than providing health care goods or services.

(14) NONECONOMIC DAMAGES.—The term ''noneconomic damages'' means damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.

(15) PUNITIVE DAMAGES.—The term ''punitive damages'' means damages awarded, for the purpose of punishment or deterrence, and not solely for compensatory purposes, against a health care provider or health care

institution. Punitive damages are neither economic nor noneconomic damages.

(16) RECOVERY.—The term ''recovery'' means the net sum recovered after deducting any disbursements or costs incurred in connection with prosecution or settlement of the claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys' office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose.

(17) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, or any political subdivision thereof.

SEC. __14. ENCOURAGING SPEEDY RESOLUTION OF CLAIMS.

(a) IN GENERAL.—Except as otherwise provided for in this section, the time for the commencement of a health care lawsuit shall be 3 years after the date of manifestation of injury or 1 year after the claimant discovers, or through the use of reasonable diligence should have discovered, the injury, whichever occurs first.

(b) GENERAL EXCEPTION.—The time for the commencement of a health care lawsuit shall not exceed 3 years after the date of manifestation of injury unless the tolling of time was delayed as a result of—

(1) fraud;

(2) intentional concealment; or

(3) the presence of a foreign body, which has no therapeutic or diagnostic purpose or effect, in the person of the injured person.

(c) MINORS.—An action by a minor shall be commenced within 3 years from the date of the alleged manifestation of injury except that if such minor is under the full age of 6 years, such action shall be commenced within 3 years of the manifestation of injury, or prior to the eighth birthday of the minor, whichever provides a longer period. Such time limitation shall be tolled for minors for any period during which a parent or guardian and a health care provider or health care institution have committed fraud or collusion in the failure to bring an action on behalf of the injured minor.

(d) RULE 11 SANCTIONS.—Whenever a Federal or State court determines (whether by motion of the parties or whether on the motion of the court) that there has been a violation of Rule 11 of the Federal Rules of Civil Procedure (or a similar violation of applicable State court rules) in a health care liability action to which this part applies, the court shall impose upon the attorneys, law firms, or pro se litigants that have violated Rule 11 or are responsible for the violation, an appropriate sanction, which shall include an order to pay the other party or parties for the reasonable expenses incurred as a direct result of the filing of the pleading, motion, or other paper that is the subject of the violation, including a reasonable attorneys' fee. Such sanction shall be sufficient to deter repetition of such conduct or comparable conduct by others similarly situated, and to compensate the party or parties injured by such conduct.

SEC. __15. COMPENSATING PATIENT INJURY.

(a) UNLIMITED AMOUNT OF DAMAGES FOR ACTUAL ECONOMIC LOSSES IN HEALTH CARE LAWSUITS.—In any health care lawsuit, nothing in this part shall limit the recovery by a claimant of the full amount of the available economic damages, notwithstanding the limitation contained in subsection (b).

(b) ADDITIONAL NONECONOMIC DAMAGES.—

(1) HEALTH CARE PROVIDERS.—In any health care lawsuit where final judgment is rendered against a health care provider, the amount of noneconomic damages recovered from the provider, if otherwise available under applicable Federal or State law, may be as much as $250,000, regardless of the number of parties other than a health care institution against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence.

(2) HEALTH CARE INSTITUTIONS.—

(A) SINGLE INSTITUTION.—In any health care lawsuit where final judgment is rendered against a single health care institution, the amount of noneconomic damages recovered from the institution, if otherwise available under applicable Federal or State law, may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence.

(B) MULTIPLE INSTITUTIONS.—In any health care lawsuit where final judgment is rendered against more than one health care institution, the amount of noneconomic damages recovered from each institution, if otherwise available under applicable Federal or State law, may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence, except that the total amount recovered from all such institutions in such lawsuit shall not exceed $500,000.

(c) NO DISCOUNT OF AWARD FOR NONECONOMIC DAMAGES.—In any health care lawsuit—

(1) an award for future noneconomic damages shall not be discounted to present value;

(2) the jury shall not be informed about the maximum award for noneconomic damages under subsection (b);

(3) an award for noneconomic damages in excess of the limitations provided for in subsection (b) shall be reduced either before the entry of judgment, or by amendment of the judgment after entry of judgment, and such reduction shall be made before accounting for any other reduction in damages required by law; and

(4) if separate awards are rendered for past and future noneconomic damages and the combined awards exceed the limitations described in subsection (b), the future noneconomic damages shall be reduced first.

(d) FAIR SHARE RULE.—In any health care lawsuit, each party shall be liable for that party's several share of any damages only and not for the share of any other person. Each party shall be liable only for the amount of damages allocated to such party in direct proportion to such party's percentage of responsibility. A separate judgment shall be rendered against each such party for the amount allocated to such party. For purposes of this section, the trier of fact shall determine the proportion of responsibility of each party for the claimant's harm.

SEC. __16. MAXIMIZING PATIENT RECOVERY.

(a) COURT SUPERVISION OF SHARE OF DAMAGES ACTUALLY PAID TO CLAIMANTS.—

(1) IN GENERAL.—In any health care lawsuit, the court shall supervise the arrangements for payment of damages to protect against conflicts of interest that may have the effect of reducing the amount of damages awarded that are actually paid to claimants.

(2) CONTINGENCY FEES.—

(A) IN GENERAL.—In any health care lawsuit in which the attorney for a party claims a financial stake in the outcome by virtue of a contingent fee, the court shall have the power to restrict the payment of a claimant's damage recovery to such attorney, and to redirect such damages to the claimant based upon the interests of justice and principles of equity.

(B) LIMITATION.—The total of all contingent fees for representing all claimants in a health care lawsuit shall not exceed the following limits:

(i) 40 percent of the first $50,000 recovered by the claimant(s).

(ii) 33⅓ percent of the next $50,000 recovered by the claimant(s).

(iii) 25 percent of the next $500,000 recovered by the claimant(s).

(iv) 15 percent of any amount by which the recovery by the claimant(s) is in excess of $600,000.

(b) APPLICABILITY.—

(1) IN GENERAL.—The limitations in subsection (a) shall apply whether the recovery is by judgment, settlement, mediation, arbitration, or any other form of alternative dispute resolution.

(2) MINORS.—In a health care lawsuit involving a minor or incompetent person, a court retains the authority to authorize or approve a fee that is less than the maximum permitted under this section.

(c) EXPERT WITNESSES.—

(1) REQUIREMENT.—No individual shall be qualified to testify as an expert witness concerning issues of negligence in any health care lawsuit against a defendant unless such individual—

(A) except as required under paragraph (2), is a health care professional who—

(i) is appropriately credentialed or licensed in 1 or more States to deliver health care services; and

(ii) typically treats the diagnosis or condition or provides the type of treatment under review; and

(B) can demonstrate by competent evidence that, as a result of training, education, knowledge, and experience in the evaluation, diagnosis, and treatment of the disease or injury which is the subject matter of the lawsuit against the defendant, the individual was substantially familiar with applicable standards of care and practice as they relate to the act or omission which is the subject of the lawsuit on the date of the incident.

(2) PHYSICIAN REVIEW.—In a health care lawsuit, if the claim of the plaintiff involved treatment that is recommended or provided by a physician (allopathic or osteopathic), an individual shall not be qualified to be an expert witness under this subsection with respect to issues of negligence concerning such treatment unless such individual is a physician.

(3) SPECIALTIES AND SUBSPECIALTIES.—With respect to a lawsuit described in paragraph (1), a court shall not permit an expert in one medical specialty or subspecialty to testify against a defendant in another medical specialty or subspecialty unless, in addition to a showing of substantial familiarity in accordance with paragraph (1)(B), there is a showing that the standards of care and practice in the two specialty or subspecialty fields are similar.

(4) LIMITATION.—The limitations in this subsection shall not apply to expert witnesses testifying as to the degree or permanency of medical or physical impairment.

SEC. __17. ADDITIONAL HEALTH BENEFITS.

(a) IN GENERAL.—The amount of any damages received by a claimant in any health care lawsuit shall be reduced by the court by the amount of any collateral source benefits to which the claimant is entitled, less any insurance premiums or other payments made by the claimant (or by the spouse, parent, child, or legal guardian of the claimant) to obtain or secure such benefits.

(b) PRESERVATION OF CURRENT LAW.—Where a payor of collateral source benefits has a right of recovery by reimbursement or

subrogation and such right is permitted under Federal or State law, subsection (a) shall not apply.

(c) APPLICATION OF PROVISION.—This section shall apply to any health care lawsuit that is settled or resolved by a fact finder.

SEC. __18. PUNITIVE DAMAGES.

(a) PUNITIVE DAMAGES PERMITTED.—

(1) IN GENERAL.—Punitive damages may, if otherwise available under applicable State or Federal law, be awarded against any person in a health care lawsuit only if it is proven by clear and convincing evidence that such person acted with malicious intent to injure the claimant, or that such person deliberately failed to avoid unnecessary injury that such person knew the claimant was substantially certain to suffer.

(2) FILING OF LAWSUIT.—No demand for punitive damages shall be included in a health care lawsuit as initially filed. A court may allow a claimant to file an amended pleading for punitive damages only upon a motion by the claimant and after a finding by the court, upon review of supporting and opposing affidavits or after a hearing, after weighing the evidence, that the claimant has established by a substantial probability that the claimant will prevail on the claim for punitive damages.

(3) SEPARATE PROCEEDING.—At the request of any party in a health care lawsuit, the trier of fact shall consider in a separate proceeding—

(A) whether punitive damages are to be awarded and the amount of such award; and

(B) the amount of punitive damages following a determination of punitive liability. If a separate proceeding is requested, evidence relevant only to the claim for punitive damages, as determined by applicable State law, shall be inadmissible in any proceeding to determine whether compensatory damages are to be awarded.

(4) LIMITATION WHERE NO COMPENSATORY DAMAGES ARE AWARDED.—In any health care lawsuit where no judgment for compensatory damages is rendered against a person, no punitive damages may be awarded with respect to the claim in such lawsuit against such person.

(b) DETERMINING AMOUNT OF PUNITIVE DAMAGES.—

(1) FACTORS CONSIDERED.—In determining the amount of punitive damages under this section, the trier of fact shall consider only the following:

(A) the severity of the harm caused by the conduct of such party;

(B) the duration of the conduct or any concealment of it by such party;

(C) the profitability of the conduct to such party;

(D) the number of products sold or medical procedures rendered for compensation, as the case may be, by such party, of the kind causing the harm complained of by the claimant;

(E) any criminal penalties imposed on such party, as a result of the conduct complained of by the claimant; and

(F) the amount of any civil fines assessed against such party as a result of the conduct complained of by the claimant.

(2) MAXIMUM AWARD.—The amount of punitive damages awarded in a health care lawsuit may not exceed an amount equal to two times the amount of economic damages awarded in the lawsuit or $250,000, whichever is greater. The jury shall not be informed of the limitation under the preceding sentence.

(c) LIABILITY OF HEALTH CARE PROVIDERS.—

(1) IN GENERAL.—A health care provider who prescribes, or who dispenses pursuant to a prescription, a drug, biological product, or medical device approved by the Food and Drug Administration, for an approved indication of the drug, biological product, or medical device, shall not be named as a party to a product liability lawsuit invoking such drug, biological product, or medical device and shall not be liable to a claimant in a class action lawsuit against the manufacturer, distributor, or product seller of such drug, biological product, or medical device.

(2) MEDICAL PRODUCT.—The term ''medical product'' means a drug or device intended for humans. The terms ''drug'' and ''device'' have the meanings given such terms in sections 201(g)(1) and 201(h) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321), respectively, including any component or raw material used therein, but excluding health care services.

SEC. __19. AUTHORIZATION OF PAYMENT OF FUTURE DAMAGES TO CLAIMANTS IN HEALTH CARE LAWSUITS.

(a) IN GENERAL.—In any health care lawsuit, if an award of future damages, without reduction to present value, equaling or exceeding $50,000 is made against a party with sufficient insurance or other assets to fund a periodic payment of such a judgment, the court shall, at the request of any party, enter a judgment ordering that the future damages be paid by periodic payments in accordance with the Uniform Periodic Payment of Judgments Act promulgated by the National Conference of Commissioners on Uniform State Laws.

(b) APPLICABILITY.—This section applies to all actions which have not been first set for trial or retrial before the effective date of this part.

SEC. __20. EFFECT ON OTHER LAWS.

(a) GENERAL VACCINE INJURY.—

(1) IN GENERAL.—To the extent that title XXI of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a vaccine-related injury or death—

(A) this part shall not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this part in conflict with a rule of law of such title XXI shall not apply to such action.

(2) EXCEPTION.—If there is an aspect of a civil action brought for a vaccine-related injury or death to which a Federal rule of law under title XXI of the Public Health Service Act does not apply, then this part or otherwise applicable law (as determined under this part) will apply to such aspect of such action.

(b) SMALLPOX VACCINE INJURY.—

(1) IN GENERAL.—To the extent that part C of title II of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a smallpox vaccine-related injury or death—

(A) this part shall not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this part in conflict with a rule of law of such part C shall not apply to such action.

(2) EXCEPTION.—If there is an aspect of a civil action brought for a smallpox vaccine-related injury or death to which a Federal rule of law under part C of title II of the Public Health Service Act does not apply, then this part or otherwise applicable law (as determined under this part) will apply to such aspect of such action.

(c) OTHER FEDERAL LAW.—Except as provided in this section, nothing in this part shall be deemed to affect any defense available, or any limitation on liability that applies to, a defendant in a health care lawsuit or action under any other provision of Federal law.

SEC. __21. STATE FLEXIBILITY AND PROTECTION OF STATES' RIGHTS.

(a) HEALTH CARE LAWSUITS.—The provisions governing health care lawsuits set forth in this part shall preempt, subject to subsections (b) and (c), State law to the extent that State law prevents the application of any provisions of law established by or under this part. The provisions governing health care lawsuits set forth in this part supersede chapter 171 of title 28, United States Code, to the extent that such chapter—

(1) provides for a greater amount of damages or contingent fees, a longer period in which a health care lawsuit may be commenced, or a reduced applicability or scope of periodic payment of future damages, than provided in this part; or

(2) prohibits the introduction of evidence regarding collateral source benefits.

(b) PREEMPTION OF CERTAIN STATE LAWS.—No provision of this part shall be construed to preempt any State law (whether effective before, on, or after the date of the enactment of this part) that specifies a particular monetary amount of compensatory or punitive damages (or the total amount of damages) that may be awarded in a health care lawsuit, regardless of whether such monetary amount is greater or lesser than is provided for under this part, notwithstanding section __15(a).

(c) PROTECTION OF STATE'S RIGHTS AND OTHER LAWS.—

(1) IN GENERAL.—Any issue that is not governed by a provision of law established by or under this part (including the State standards of negligence) shall be governed by otherwise applicable Federal or State law.

(2) RULE OF CONSTRUCTION.—Nothing in this part shall be construed to—

(A) preempt or supersede any Federal or State law that imposes greater procedural or substantive protections (such as a shorter statute of limitations) for a health care provider or health care institution from liability, loss, or damages than those provided by this part;

(B) preempt or supercede any State law that permits and provides for the enforcement of any arbitration agreement related to a health care liability claim whether enacted prior to or after the date of enactment of this part;

(C) create a cause of action that is not otherwise available under Federal or State law; or

(D) affect the scope of preemption of any other Federal law.

SEC. __22. APPLICABILITY; EFFECTIVE DATE.

This part shall apply to any health care lawsuit brought in a Federal or State court, or subject to an alternative dispute resolution system, that is initiated on or after the date of the enactment of this part, except that any health care lawsuit arising from an injury occurring prior to the date of enactment of this part shall be governed by the applicable statute of limitations provisions in effect at the time the injury occurred.

SA 3245. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle __—Improved Patient Access and Medical Care

PART I—INCREASED MEDICAID PAYMENTS FOR PEDIATRIC CARE

SEC. __01. INCREASED PAYMENTS FOR PEDIATRIC CARE UNDER MEDICAID.

(a) IN GENERAL.—

(1) FEE-FOR-SERVICE PAYMENTS.—Section 1902 of the Social Security Act (42 U.S.C. 1396b), as amended by section 2001(b)(2), is amended—

(A) in subsection (a)(13)—

(i) by striking ''and'' at the end of subparagraph (A);

(ii) by adding ''and'' at the end of subparagraph (B); and

(iii) by adding at the end the following new subparagraph:

''(C) payment for pediatric care services (as defined in subsection (hh)(1)) furnished by hospitals or physicians (as defined in section 1861(r)) (or for services furnished by other health care professionals that would be pediatric care services under such subsection if furnished by a physician) at a rate not less than—

''(i) in the case of such services furnished by physicians (or professionals), 80 percent of the payment rate that would be applicable if the adjustment described in subsection (hh)(2) were to apply to such services and physicians or professionals (as the case may be) under part B of title XVIII (or, if there is no payment rate for such services under part B of title XVIII, the payment rate for the most comparable services, as determined by the Secretary in consultation with the Medicaid and CHIP Payment and Access Commission established under section 1900 and adjusted as appropriate for a pediatric population) for services furnished in 2010, 90 percent of such adjusted payment rate for services and physicians (or professionals) furnished in 2011, and 100 percent of such adjusted payment rate for services and hospitals or physicians (or professionals) furnished in 2012 and each subsequent year; and

''(ii) in the case of such services furnished by hospitals, 80 percent of the payment rate that would be applicable if such services were furnished under part A of title XVIII (or, if there is no payment rate for such services under part A of title XVIII, the payment rate for the most comparable services, as determined by the Secretary in consultation with the Medicaid and CHIP Payment and Access Commission established under section 1900 and adjusted as appropriate for a pediatric population) for services furnished in 2010, 90 percent of such payment rate for services furnished in 2011, and 100 percent of such payment rate for services furnished in 2012 and each subsequent year;''; and

(B) by adding at the end the following new subsection:

''(hh) INCREASED PAYMENT FOR PEDIATRIC CARE.—For purposes of subsection (a)(13)(C):

''(1) PEDIATRIC CARE SERVICES DEFINED.—The term 'pediatric care services' means evaluation and management services, without regard to the specialty of the physician or hospital furnishing the services, that are procedure codes (for services covered under title XVIII) for services in the category designated Evaluation and Management in the Healthcare Common Procedure Coding System (established by the Secretary under section 1848(c)(5) as of December 31, 2009, and as subsequently modified by the Secretary) and that are furnished to an individual who is enrolled in the State plan under this title who has not attained age 19. Such term includes procedure codes established by the Secretary, in consultation with the Medicaid and CHIP Payment and Access Commission established under section 1900, for services furnished under State plans under this title to individuals who have not attained age 19 and for which there is not an a procedure code (or a procedure code that the Secretary, in consultation with such Commission, determines is comparable) established under the Healthcare Common Procedure Coding System.

''(2) ADJUSTMENT.—The adjustment described in this paragraph is the substitution of 1.25 percent for the update otherwise provided under section 1848(d)(4) for each year beginning with 2010.''.

(2) UNDER MEDICAID MANAGED CARE PLANS.—Section 1932(f) of such Act (42 U.S.C. 1396u–2(f)) is amended—

(A) in the heading, by adding at the end the following: ''; ADEQUACY OF PAYMENT FOR PEDIATRIC CARE SERVICES''; and

(B) by inserting before the period at the end the following: ''and, in the case of pediatric care services described in section 1902(a)(13)(C), consistent with the minimum payment rates specified in such section (regardless of the manner in which such payments are made, including in the form of capitation or partial capitation)''.

(b) INCREASED FMAP.—Section 1905 of such Act (42 U.S.C. 1396d), as amended by sections 2006 and 4107(a)(2), is amended

(1) in the first sentence of subsection (b), by striking ''and'' before ''(4)'' and by inserting before the period at the end the following: '', and (5) 100 percent (for periods beginning with 2010) with respect to amounts described in subsection (cc)''; and

(2) by adding at the end the following new subsection:

''(cc) For purposes of section 1905(b)(5), the amounts described in this subsection are the following:

''(1)(A) The portion of the amounts expended for medical assistance for services described in section 1902(a)(13)(C) furnished on or after January 1, 2010, that is attributable to the amount by which the minimum payment rate required under such section (or, by application, section 1932(f)) exceeds the payment rate applicable to such services under the State plan as of the date of enactment of the Patient Protection and Affordable Care Act.

''(B) Subparagraph (A) shall not be construed as preventing the payment of Federal financial participation based on the Federal medical assistance percentage for amounts in excess of those specified under such subparagraph.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to services furnished on or after January 1, 2010.

PART II—MEDICAL CARE ACCESS PROTECTION

SEC. _11. SHORT TITLE OF PART.

This part may be cited as the ''Medical Care Access Protection Act of 2009'' or the ''MCAP Act''.

SEC. _12. FINDINGS AND PURPOSE.

(a) FINDINGS.—

(1) EFFECT ON HEALTH CARE ACCESS AND COSTS.—Congress finds that our current civil justice system is adversely affecting patient access to health care services, better patient care, and cost-efficient health care, in that the health care liability system is a costly and ineffective mechanism for resolving claims of health care liability and compensating injured patients, and is a deterrent to the sharing of information among health care professionals which impedes efforts to improve patient safety and quality of care.

(2) EFFECT ON INTERSTATE COMMERCE.—Congress finds that the health care and insurance industries are industries affecting interstate commerce and the health care liability litigation systems existing throughout the United States are activities that affect interstate commerce by contributing to the high costs of health care and premiums for health care liability insurance purchased by health care system providers.

(3) EFFECT ON FEDERAL SPENDING.—Congress finds that the health care liability litigation systems existing throughout the United States have a significant effect on the amount, distribution, and use of Federal funds because of—

(A) the large number of individuals who receive health care benefits under programs operated or financed by the Federal Government;

(B) the large number of individuals who benefit because of the exclusion from Federal taxes of the amounts spent to provide them with health insurance benefits; and

(C) the large number of health care providers who provide items or services for which the Federal Government makes payments.

(b) PURPOSE.—It is the purpose of this part to implement reasonable, comprehensive, and effective health care liability reforms designed to—

(1) improve the availability of health care services in cases in which health care liability actions have been shown to be a factor in the decreased availability of services;

(2) reduce the incidence of ''defensive medicine'' and lower the cost of health care liability insurance, all of which contribute to the escalation of health care costs;

(3) ensure that persons with meritorious health care injury claims receive fair and adequate compensation, including reasonable noneconomic damages;

(4) improve the fairness and cost-effectiveness of our current health care liability system to resolve disputes over, and provide compensation for, health care liability by reducing uncertainty in the amount of compensation provided to injured individuals; and

(5) provide an increased sharing of information in the health care system which will reduce unintended injury and improve patient care.

SEC. _13. DEFINITIONS.

In this part:

(1) ALTERNATIVE DISPUTE RESOLUTION SYSTEM; ADR.—The term ''alternative dispute resolution system'' or ''ADR'' means a system that provides for the resolution of health care lawsuits in a manner other than through a civil action brought in a State or Federal court.

(2) CLAIMANT.—The term ''claimant'' means any person who brings a health care lawsuit, including a person who asserts or claims a right to legal or equitable contribution, indemnity or subrogation, arising out of a health care liability claim or action, and any person on whose behalf such a claim is asserted or such an action is brought, whether deceased, incompetent, or a minor.

(3) COLLATERAL SOURCE BENEFITS.—The term ''collateral source benefits'' means any amount paid or reasonably likely to be paid in the future to or on behalf of the claimant, or any service, product or other benefit provided or reasonably likely to be provided in the future to or on behalf of the claimant, as a result of the injury or wrongful death, pursuant to—

(A) any State or Federal health, sickness, income-disability, accident, or workers' compensation law;

(B) any health, sickness, income-disability, or accident insurance that provides health benefits or income-disability coverage;

(C) any contract or agreement of any group, organization, partnership, or corporation to provide, pay for, or reimburse the cost of medical, hospital, dental, or income disability benefits; and

(D) any other publicly or privately funded program.

(4) COMPENSATORY DAMAGES.—The term ''compensatory damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products,

such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities, damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature. Such term includes economic damages and noneconomic damages, as such terms are defined in this section.

(5) CONTINGENT FEE.—The term ''contingent fee'' includes all compensation to any person or persons which is payable only if a recovery is effected on behalf of one or more claimants.

(6) ECONOMIC DAMAGES.—The term ''economic damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities.

(7) HEALTH CARE GOODS OR SERVICES.—The term ''health care goods or services'' means any goods or services provided by a health care institution, provider, or by any individual working under the supervision of a health care provider, that relates to the diagnosis, prevention, care, or treatment of any human disease or impairment, or the assessment of the health of human beings.

(8) HEALTH CARE INSTITUTION.—The term ''health care institution'' means any entity licensed under Federal or State law to provide health care services (including but not limited to ambulatory surgical centers, assisted living facilities, emergency medical services providers, hospices, hospitals and hospital systems, nursing homes, or other entities licensed to provide such services).

(9) HEALTH CARE LAWSUIT.—The term ''health care lawsuit'' means any health care liability claim concerning the provision of health care goods or services affecting interstate commerce, or any health care liability action concerning the provision of (or the failure to provide) health care goods or services affecting interstate commerce, brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider or a health care institution regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action, in which the claimant alleges a health care liability claim.

(10) HEALTH CARE LIABILITY ACTION.—The term ''health care liability action'' means a civil action brought in a State or Federal Court or pursuant to an alternative dispute resolution system, against a health care provider or a health care institution regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action, in which the claimant alleges a health care liability claim.

(11) HEALTH CARE LIABILITY CLAIM.—The term ''health care liability claim'' means a demand by any person, whether or not pursuant to ADR, against a health care provider or health care institution, including third-party claims, cross-claims, counter-claims, or contribution claims, which are based upon the provision of, use of, or payment for (or the failure to provide, use, or pay for) health care services, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action.

(12) HEALTH CARE PROVIDER.—

(A) IN GENERAL.—The term ''health care provider'' means any person (including but not limited to a physician (as defined by section 1861(r) of the Social Security Act (42 U.S.C. 1395x(r)), registered nurse, dentist, podiatrist, pharmacist, chiropractor, or optometrist) required by State or Federal law to be licensed, registered, or certified to provide health care services, and being either so licensed, registered, or certified, or exempted from such requirement by other statute or regulation.

(B) TREATMENT OF CERTAIN PROFESSIONAL ASSOCIATIONS.—For purposes of this part, a professional association that is organized under State law by an individual physician or group of physicians, a partnership or limited liability partnership formed by a group of physicians, a nonprofit health corporation certified under State law, or a company formed by a group of physicians under State law shall be treated as a health care provider under subparagraph (A).

(13) MALICIOUS INTENT TO INJURE.—The term ''malicious intent to injure'' means intentionally causing or attempting to cause physical injury other than providing health care goods or services.

(14) NONECONOMIC DAMAGES.—The term ''noneconomic damages'' means damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.

(15) PUNITIVE DAMAGES.—The term ''punitive damages'' means damages awarded, for the purpose of punishment or deterrence, and not solely for compensatory purposes, against a health care provider or health care institution. Punitive damages are neither economic nor noneconomic damages.

(16) RECOVERY.—The term ''recovery'' means the net sum recovered after deducting any disbursements or costs incurred in connection with prosecution or settlement of the claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys' office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose.

(17) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, or any political subdivision thereof.

SEC. __14. ENCOURAGING SPEEDY RESOLUTION OF CLAIMS.

(a) IN GENERAL.—Except as otherwise provided for in this section, the time for the commencement of a health care lawsuit shall be 3 years after the date of manifestation of injury or 1 year after the claimant discovers, or through the use of reasonable diligence should have discovered, the injury, whichever occurs first.

(b) GENERAL EXCEPTION.—The time for the commencement of a health care lawsuit shall not exceed 3 years after the date of manifestation of injury unless the tolling of time was delayed as a result of—

(1) fraud;

(2) intentional concealment; or

(3) the presence of a foreign body, which has no therapeutic or diagnostic purpose or effect, in the person of the injured person.

(c) MINORS.—An action by a minor shall be commenced within 3 years from the date of the alleged manifestation of injury except that if such minor is under the full age of 6 years, such action shall be commenced within 3 years of the manifestation of injury, or prior to the eighth birthday of the minor, whichever provides a longer period. Such time limitation shall be tolled for minors for any period during which a parent or guardian and a health care provider or health care institution have committed fraud or collusion in the failure to bring an action on behalf of the injured minor.

(d) RULE 11 SANCTIONS.—Whenever a Federal or State court determines (whether by motion of the parties or whether on the motion of the court) that there has been a violation of Rule 11 of the Federal Rules of Civil Procedure (or a similar violation of applicable State court rules) in a health care liability action to which this part applies, the court shall impose upon the attorneys, law firms, or pro se litigants that have violated Rule 11 or are responsible for the violation, an appropriate sanction, which shall include an order to pay the other party or parties for the reasonable expenses incurred as a direct result of the filing of the pleading, motion, or other paper that is the subject of the violation, including a reasonable attorneys' fee. Such sanction shall be sufficient to deter repetition of such conduct or comparable conduct by others similarly situated, and to compensate the party or parties injured by such conduct.

SEC. __15. COMPENSATING PATIENT INJURY.

(a) UNLIMITED AMOUNT OF DAMAGES FOR ACTUAL ECONOMIC LOSSES IN HEALTH CARE LAWSUITS.—In any health care lawsuit, nothing in this part shall limit the recovery by a claimant of the full amount of the available economic damages, notwithstanding the limitation contained in subsection (b).

(b) ADDITIONAL NONECONOMIC DAMAGES.—

(1) HEALTH CARE PROVIDERS.—In any health care lawsuit where final judgment is rendered against a health care provider, the amount of noneconomic damages recovered from the provider, if otherwise available under applicable Federal or State law, may be as much as $250,000, regardless of the number of parties other than a health care institution against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence.

(2) HEALTH CARE INSTITUTIONS.—

(A) SINGLE INSTITUTION.—In any health care lawsuit where final judgment is rendered against a single health care institution, the amount of noneconomic damages recovered from the institution, if otherwise available under applicable Federal or State law, may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence.

(B) MULTIPLE INSTITUTIONS.—In any health care lawsuit where final judgment is rendered against more than one health care institution, the amount of noneconomic damages recovered from each institution, if otherwise available under applicable Federal or State law, may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence, except that the total amount recovered from all such institutions in such lawsuit shall not exceed $500,000.

(c) NO DISCOUNT OF AWARD FOR NONECONOMIC DAMAGES.—In any health care lawsuit—

(1) an award for future noneconomic damages shall not be discounted to present value;

(2) the jury shall not be informed about the maximum award for noneconomic damages under subsection (b);

(3) an award for noneconomic damages in excess of the limitations provided for in subsection (b) shall be reduced either before the entry of judgment, or by amendment of the judgment after entry of judgment, and such reduction shall be made before accounting for any other reduction in damages required by law; and

(4) if separate awards are rendered for past and future noneconomic damages and the combined awards exceed the limitations described in subsection (b), the future noneconomic damages shall be reduced first.

(d) FAIR SHARE RULE.—In any health care lawsuit, each party shall be liable for that party's several share of any damages only and not for the share of any other person. Each party shall be liable only for the amount of damages allocated to such party in direct proportion to such party's percentage of responsibility. A separate judgment shall be rendered against each such party for the amount allocated to such party. For purposes of this section, the trier of fact shall determine the proportion of responsibility of each party for the claimant's harm.

SEC. __16. MAXIMIZING PATIENT RECOVERY.

(a) COURT SUPERVISION OF SHARE OF DAMAGES ACTUALLY PAID TO CLAIMANTS.—

(1) IN GENERAL.—In any health care lawsuit, the court shall supervise the arrangements for payment of damages to protect against conflicts of interest that may have the effect of reducing the amount of damages awarded that are actually paid to claimants.

(2) CONTINGENCY FEES.—

(A) IN GENERAL.—In any health care lawsuit in which the attorney for a party claims a financial stake in the outcome by virtue of a contingent fee, the court shall have the power to restrict the payment of a claimant's damage recovery to such attorney, and to redirect such damages to the claimant based upon the interests of justice and principles of equity.

(B) LIMITATION.—The total of all contingent fees for representing all claimants in a health care lawsuit shall not exceed the following limits:

(i) 40 percent of the first $50,000 recovered by the claimant(s).

(ii) 33⅓ percent of the next $50,000 recovered by the claimant(s).

(iii) 25 percent of the next $500,000 recovered by the claimant(s).

(iv) 15 percent of any amount by which the recovery by the claimant(s) is in excess of $600,000.

(b) APPLICABILITY.—

(1) IN GENERAL.—The limitations in subsection (a) shall apply whether the recovery is by judgment, settlement, mediation, arbitration, or any other form of alternative dispute resolution.

(2) MINORS.—In a health care lawsuit involving a minor or incompetent person, a court retains the authority to authorize or approve a fee that is less than the maximum permitted under this section.

(c) EXPERT WITNESSES.—

(1) REQUIREMENT.—No individual shall be qualified to testify as an expert witness concerning issues of negligence in any health care lawsuit against a defendant unless such individual—

(A) except as required under paragraph (2), is a health care professional who—

(i) is appropriately credentialed or licensed in 1 or more States to deliver health care services; and

(ii) typically treats the diagnosis or condition or provides the type of treatment under review; and

(B) can demonstrate by competent evidence that, as a result of training, education, knowledge, and experience in the evaluation, diagnosis, and treatment of the disease or injury which is the subject matter of the lawsuit against the defendant, the individual was substantially familiar with applicable standards of care and practice as they relate to the act or omission which is the subject of the lawsuit on the date of the incident.

(2) PHYSICIAN REVIEW.—In a health care lawsuit, if the claim of the plaintiff involved treatment that is recommended or provided by a physician (allopathic or osteopathic), an individual shall not be qualified to be an expert witness under this subsection with respect to issues of negligence concerning such treatment unless such individual is a physician.

(3) SPECIALTIES AND SUBSPECIALTIES.—With respect to a lawsuit described in paragraph (1), a court shall not permit an expert in one medical specialty or subspecialty to testify against a defendant in another medical specialty or subspecialty unless, in addition to a showing of substantial familiarity in accordance with paragraph (1)(B), there is a showing that the standards of care and practice in the two specialty or subspecialty fields are similar.

(4) LIMITATION.—The limitations in this subsection shall not apply to expert witnesses testifying as to the degree or permanency of medical or physical impairment.

SEC. __17. ADDITIONAL HEALTH BENEFITS.

(a) IN GENERAL.—The amount of any damages received by a claimant in any health care lawsuit shall be reduced by the court by the amount of any collateral source benefits to which the claimant is entitled, less any insurance premiums or other payments made by the claimant (or by the spouse, parent, child, or legal guardian of the claimant) to obtain or secure such benefits.

(b) PRESERVATION OF CURRENT LAW.—Where a payor of collateral source benefits has a right of recovery by reimbursement or subrogation and such right is permitted under Federal or State law, subsection (a) shall not apply.

(c) APPLICATION OF PROVISION.—This section shall apply to any health care lawsuit that is settled or resolved by a fact finder.

SEC. __18. PUNITIVE DAMAGES.

(a) PUNITIVE DAMAGES PERMITTED.—

(1) IN GENERAL.—Punitive damages may, if otherwise available under applicable State or Federal law, be awarded against any person in a health care lawsuit only if it is proven by clear and convincing evidence that such person acted with malicious intent to injure the claimant, or that such person deliberately failed to avoid unnecessary injury that such person knew the claimant was substantially certain to suffer.

(2) FILING OF LAWSUIT.—No demand for punitive damages shall be included in a health care lawsuit as initially filed. A court may allow a claimant to file an amended pleading for punitive damages only upon a motion by the claimant and after a finding by the court, upon review of supporting and opposing affidavits or after a hearing, after weighing the evidence, that the claimant has established by a substantial probability that the claimant will prevail on the claim for punitive damages.

(3) SEPARATE PROCEEDING.—At the request of any party in a health care lawsuit, the trier of fact shall consider in a separate proceeding—

(A) whether punitive damages are to be awarded and the amount of such award; and

(B) the amount of punitive damages following a determination of punitive liability.

If a separate proceeding is requested, evidence relevant only to the claim for punitive damages, as determined by applicable State law, shall be inadmissible in any proceeding to determine whether compensatory damages are to be awarded.

(4) LIMITATION WHERE NO COMPENSATORY DAMAGES ARE AWARDED.—In any health care lawsuit where no judgment for compensatory damages is rendered against a person, no punitive damages may be awarded with respect to the claim in such lawsuit against such person.

(b) DETERMINING AMOUNT OF PUNITIVE DAMAGES.—

(1) FACTORS CONSIDERED.—In determining the amount of punitive damages under this section, the trier of fact shall consider only the following:

(A) the severity of the harm caused by the conduct of such party;

(B) the duration of the conduct or any concealment of it by such party;

(C) the profitability of the conduct to such party;

(D) the number of products sold or medical procedures rendered for compensation, as the case may be, by such party, of the kind causing the harm complained of by the claimant;

(E) any criminal penalties imposed on such party, as a result of the conduct complained of by the claimant; and

(F) the amount of any civil fines assessed against such party as a result of the conduct complained of by the claimant.

(2) MAXIMUM AWARD.—The amount of punitive damages awarded in a health care lawsuit may not exceed an amount equal to two times the amount of economic damages awarded in the lawsuit or $250,000, whichever is greater. The jury shall not be informed of the limitation under the preceding sentence.

(c) LIABILITY OF HEALTH CARE PROVIDERS.—

(1) IN GENERAL.—A health care provider who prescribes, or who dispenses pursuant to a prescription, a drug, biological product, or medical device approved by the Food and Drug Administration, for an approved indication of the drug, biological product, or medical device, shall not be named as a party to a product liability lawsuit invoking such drug, biological product, or medical device and shall not be liable to a claimant in a class action lawsuit against the manufacturer, distributor, or product seller of such drug, biological product, or medical device.

(2) MEDICAL PRODUCT.—The term ''medical product'' means a drug or device intended for humans. The terms ''drug'' and ''device'' have the meanings given such terms in sections 201(g)(1) and 201(h) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321), respectively, including any component or raw material used therein, but excluding health care services.

SEC. __19. AUTHORIZATION OF PAYMENT OF FUTURE DAMAGES TO CLAIMANTS IN HEALTH CARE LAWSUITS.

(a) IN GENERAL.—In any health care lawsuit, if an award of future damages, without reduction to present value, equaling or exceeding $50,000 is made against a party with sufficient insurance or other assets to fund a periodic payment of such a judgment, the court shall, at the request of any party, enter a judgment ordering that the future damages be paid by periodic payments in accordance with the Uniform Periodic Payment of Judgments Act promulgated by the National Conference of Commissioners on Uniform State Laws.

(b) APPLICABILITY.—This section applies to all actions which have not been first set for trial or retrial before the effective date of this part.

SEC. __20. EFFECT ON OTHER LAWS.

(a) GENERAL VACCINE INJURY.—

(1) IN GENERAL.—To the extent that title XXI of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a vaccine-related injury or death—

(A) this part shall not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this part in conflict with a rule of law of such title XXI shall not apply to such action.

(2) EXCEPTION.—If there is an aspect of a civil action brought for a vaccine-related injury or death to which a Federal rule of law under title XXI of the Public Health Service Act does not apply, then this part or otherwise applicable law (as determined under this part) will apply to such aspect of such action.

(b) SMALLPOX VACCINE INJURY.—

(1) IN GENERAL.—To the extent that part C of title II of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a smallpox vaccine-related injury or death—

(A) this part shall not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this part in conflict with a rule of law of such part C shall not apply to such action.

(2) EXCEPTION.—If there is an aspect of a civil action brought for a smallpox vaccine-related injury or death to which a Federal rule of law under part C of title II of the Public Health Service Act does not apply, then this part or otherwise applicable law (as determined under this part) will apply to such aspect of such action.

(c) OTHER FEDERAL LAW.—Except as provided in this section, nothing in this part shall be deemed to affect any defense available, or any limitation on liability that applies to, a defendant in a health care lawsuit or action under any other provision of Federal law.

SEC. __21. STATE FLEXIBILITY AND PROTECTION OF STATES' RIGHTS.

(a) HEALTH CARE LAWSUITS.—The provisions governing health care lawsuits set forth in this part shall preempt, subject to subsections (b) and (c), State law to the extent that State law prevents the application of any provisions of law established by or under this part. The provisions governing health care lawsuits set forth in this part supersede chapter 171 of title 28, United States Code, to the extent that such chapter—

(1) provides for a greater amount of damages or contingent fees, a longer period in which a health care lawsuit may be commenced, or a reduced applicability or scope of periodic payment of future damages, than provided in this part; or

(2) prohibits the introduction of evidence regarding collateral source benefits.

(b) PREEMPTION OF CERTAIN STATE LAWS.—No provision of this part shall be construed to preempt any State law (whether effective before, on, or after the date of the enactment of this part) that specifies a particular monetary amount of compensatory or punitive damages (or the total amount of damages) that may be awarded in a health care lawsuit, regardless of whether such monetary amount is greater or lesser than is provided for under this part, notwithstanding section __15(a).

(c) PROTECTION OF STATE'S RIGHTS AND OTHER LAWS.—

(1) IN GENERAL.—Any issue that is not governed by a provision of law established by or under this part (including the State standards of negligence) shall be governed by otherwise applicable Federal or State law.

(2) RULE OF CONSTRUCTION.—Nothing in this part shall be construed to—

(A) preempt or supersede any Federal or State law that imposes greater procedural or substantive protections (such as a shorter statute of limitations) for a health care provider or health care institution from liability, loss, or damages than those provided by this part;

(B) preempt or supercede any State law that permits and provides for the enforcement of any arbitration agreement related to a health care liability claim whether enacted prior to or after the date of enactment of this part;

(C) create a cause of action that is not otherwise available under Federal or State law; or

(D) affect the scope of preemption of any other Federal law.

SEC. __22. APPLICABILITY; EFFECTIVE DATE.

This part shall apply to any health care lawsuit brought in a Federal or State court, or subject to an alternative dispute resolution system, that is initiated on or after the date of the enactment of this part, except that any health care lawsuit arising from an injury occurring prior to the date of enactment of this part shall be governed by the applicable statute of limitations provisions in effect at the time the injury occurred.

SA 3246. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 974, between lines 9 and 10, insert the following:

SEC. 3315. EXPANSION OF THE DEFINITION OF A COVERED PART D DRUG UNDER THE MEDICARE PROGRAM.

(a) IN GENERAL.—Section 1860D–2(e)(1)(A) of the Social Security Act (42 U.S.C. 1395w–102(e)(1)(A)) is amended by inserting ''and disposable medical devices which reduce the side effects associated with the treatment of cancer'' after ''1927(k)(2)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to drugs dispensed on or after January 1, 2011.

SA 3247. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 2074, after line 25, insert the following:

TITLE X—TO EXPAND ACCESS TO PRIMARY CARE SERVICES BY IMPROVING MEDICARE REIMBURSEMENT FOR PRIMARY CARE PRACTITIONERS WITH A SPECIALTY DESIGNATION OF NEUROLOGY

Subtitle A—Access to Primary Care Services

SEC. 10001. IMPROVED REIMBURSEMENT FOR PRIMARY CARE PRACTITIONERS WITH A SPECIALTY DESIGNATION OF NEUROLOGY.

Section 1833(x)(2)(A)(i)(I) of the Social Security Act, as added by section 5501, is amended by striking ''or pediatric medicine'' and inserting ''neurology, or pediatric medicine''.

Subtitle B—Medical Care Access Protection

SEC. 10101. SHORT TITLE.

This subtitle may be cited as the ''Medical Care Access Protection Act of 2009'' or the ''MCAP Act''.

SEC. 10102. FINDINGS AND PURPOSE.

(a) FINDINGS.—

(1) EFFECT ON HEALTH CARE ACCESS AND COSTS.—Congress finds that our current civil justice system is adversely affecting patient access to health care services, better patient care, and cost-efficient health care, in that the health care liability system is a costly and ineffective mechanism for resolving claims of health care liability and compensating injured patients, and is a deterrent to the sharing of information among health care professionals which impedes efforts to improve patient safety and quality of care.

(2) EFFECT ON INTERSTATE COMMERCE.—Congress finds that the health care and insurance industries are industries affecting interstate commerce and the health care liability litigation systems existing throughout the United States are activities that affect interstate commerce by contributing to the high costs of health care and premiums for health care liability insurance purchased by health care system providers.

(3) EFFECT ON FEDERAL SPENDING.—Congress finds that the health care liability litigation systems existing throughout the United States have a significant effect on the amount, distribution, and use of Federal funds because of—

(A) the large number of individuals who receive health care benefits under programs operated or financed by the Federal Government;

(B) the large number of individuals who benefit because of the exclusion from Federal taxes of the amounts spent to provide them with health insurance benefits; and

(C) the large number of health care providers who provide items or services for which the Federal Government makes payments.

(b) PURPOSE.—It is the purpose of this subtitle to implement reasonable, comprehensive, and effective health care liability reforms designed to—

(1) improve the availability of health care services in cases in which health care liability actions have been shown to be a factor in the decreased availability of services;

(2) reduce the incidence of ''defensive medicine'' and lower the cost of health care liability insurance, all of which contribute to the escalation of health care costs;

(3) ensure that persons with meritorious health care injury claims receive fair and adequate compensation, including reasonable noneconomic damages;

(4) improve the fairness and cost-effectiveness of our current health care liability system to resolve disputes over, and provide compensation for, health care liability by reducing uncertainty in the amount of compensation provided to injured individuals; and

(5) provide an increased sharing of information in the health care system which will reduce unintended injury and improve patient care.

SEC. 10103. DEFINITIONS.

In this subtitle:

(1) ALTERNATIVE DISPUTE RESOLUTION SYSTEM; ADR.—The term ''alternative dispute resolution system'' or ''ADR'' means a system that provides for the resolution of health care lawsuits in a manner other than through a civil action brought in a State or Federal court.

(2) CLAIMANT.—The term ''claimant'' means any person who brings a health care lawsuit, including a person who asserts or claims a right to legal or equitable contribution, indemnity or subrogation, arising out of a health care liability claim or action, and any person on whose behalf such a claim is asserted or such an action is brought, whether deceased, incompetent, or a minor.

(3) COLLATERAL SOURCE BENEFITS.—The term ''collateral source benefits'' means any

amount paid or reasonably likely to be paid in the future to or on behalf of the claimant, or any service, product or other benefit provided or reasonably likely to be provided in the future to or on behalf of the claimant, as a result of the injury or wrongful death, pursuant to—

(A) any State or Federal health, sickness, income-disability, accident, or workers' compensation law;

(B) any health, sickness, income-disability, or accident insurance that provides health benefits or income-disability coverage;

(C) any contract or agreement of any group, organization, partnership, or corporation to provide, pay for, or reimburse the cost of medical, hospital, dental, or income disability benefits; and

(D) any other publicly or privately funded program.

(4) COMPENSATORY DAMAGES.—The term ''compensatory damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities, damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature. Such term includes economic damages and noneconomic damages, as such terms are defined in this section.

(5) CONTINGENT FEE.—The term ''contingent fee'' includes all compensation to any person or persons which is payable only if a recovery is effected on behalf of one or more claimants.

(6) ECONOMIC DAMAGES.—The term ''economic damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities.

(7) HEALTH CARE GOODS OR SERVICES.—The term ''health care goods or services'' means any goods or services provided by a health care institution, provider, or by any individual working under the supervision of a health care provider, that relates to the diagnosis, prevention, care, or treatment of any human disease or impairment, or the assessment of the health of human beings.

(8) HEALTH CARE INSTITUTION.—The term ''health care institution'' means any entity licensed under Federal or State law to provide health care services (including but not limited to ambulatory surgical centers, assisted living facilities, emergency medical services providers, hospices, hospitals and hospital systems, nursing homes, or other entities licensed to provide such services).

(9) HEALTH CARE LAWSUIT.—The term ''health care lawsuit'' means any health care liability claim concerning the provision of health care goods or services affecting interstate commerce, or any health care liability action concerning the provision of (or the failure to provide) health care goods or services affecting interstate commerce, brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider or a health care institution regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action, in which the claimant alleges a health care liability claim.

(10) HEALTH CARE LIABILITY ACTION.—The term ''health care liability action'' means a civil action brought in a State or Federal Court or pursuant to an alternative dispute resolution system, against a health care provider or a health care institution regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action, in which the claimant alleges a health care liability claim.

(11) HEALTH CARE LIABILITY CLAIM.—The term ''health care liability claim'' means a demand by any person, whether or not pursuant to ADR, against a health care provider or health care institution, including third-party claims, cross-claims, counter-claims, or contribution claims, which are based upon the provision of, use of, or payment for (or the failure to provide, use, or pay for) health care services, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action.

(12) HEALTH CARE PROVIDER.—

(A) IN GENERAL.—The term ''health care provider'' means any person (including but not limited to a physician (as defined by section 1861(r) of the Social Security Act (42 U.S.C. 1395x(r)), registered nurse, dentist, podiatrist, pharmacist, chiropractor, or optometrist) required by State or Federal law to be licensed, registered, or certified to provide health care services, and being either so licensed, registered, or certified, or exempted from such requirement by other statute or regulation.

(B) TREATMENT OF CERTAIN PROFESSIONAL ASSOCIATIONS.—For purposes of this subtitle, a professional association that is organized under State law by an individual physician or group of physicians, a partnership or limited liability partnership formed by a group of physicians, a nonprofit health corporation certified under State law, or a company formed by a group of physicians under State law shall be treated as a health care provider under subparagraph (A).

(13) MALICIOUS INTENT TO INJURE.—The term ''malicious intent to injure'' means intentionally causing or attempting to cause physical injury other than providing health care goods or services.

(14) NONECONOMIC DAMAGES.—The term ''noneconomic damages'' means damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.

(15) PUNITIVE DAMAGES.—The term ''punitive damages'' means damages awarded, for the purpose of punishment or deterrence, and not solely for compensatory purposes, against a health care provider or health care institution. Punitive damages are neither economic nor noneconomic damages.

(16) RECOVERY.—The term ''recovery'' means the net sum recovered after deducting any disbursements or costs incurred in connection with prosecution or settlement of the claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys' office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose.

(17) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, or any political subdivision thereof.

SEC. 10104. ENCOURAGING SPEEDY RESOLUTION OF CLAIMS.

(a) IN GENERAL.—Except as otherwise provided for in this section, the time for the commencement of a health care lawsuit shall be 3 years after the date of manifestation of injury or 1 year after the claimant discovers, or through the use of reasonable diligence should have discovered, the injury, whichever occurs first.

(b) GENERAL EXCEPTION.—The time for the commencement of a health care lawsuit shall not exceed 3 years after the date of manifestation of injury unless the tolling of time was delayed as a result of—

(1) fraud;

(2) intentional concealment; or

(3) the presence of a foreign body, which has no therapeutic or diagnostic purpose or effect, in the person of the injured person.

(c) MINORS.—An action by a minor shall be commenced within 3 years from the date of the alleged manifestation of injury except that if such minor is under the full age of 6 years, such action shall be commenced within 3 years of the manifestation of injury, or prior to the eighth birthday of the minor, whichever provides a longer period. Such time limitation shall be tolled for minors for any period during which a parent or guardian and a health care provider or health care institution have committed fraud or collusion in the failure to bring an action on behalf of the injured minor.

(d) RULE 11 SANCTIONS.—Whenever a Federal or State court determines (whether by motion of the parties or whether on the motion of the court) that there has been a violation of Rule 11 of the Federal Rules of Civil Procedure (or a similar violation of applicable State court rules) in a health care liability action to which this subtitle applies, the court shall impose upon the attorneys, law firms, or pro se litigants that have violated Rule 11 or are responsible for the violation, an appropriate sanction, which shall include an order to pay the other party or parties for the reasonable expenses incurred as a direct result of the filing of the pleading, motion, or other paper that is the subject of the violation, including a reasonable attorneys' fee. Such sanction shall be sufficient to deter repetition of such conduct or comparable conduct by others similarly situated, and to compensate the party or parties injured by such conduct.

SEC. 10105. COMPENSATING PATIENT INJURY.

(a) UNLIMITED AMOUNT OF DAMAGES FOR ACTUAL ECONOMIC LOSSES IN HEALTH CARE LAWSUITS.—In any health care lawsuit, nothing in this subtitle shall limit the recovery by a claimant of the full amount of the available economic damages, notwithstanding the limitation contained in subsection (b).

(b) ADDITIONAL NONECONOMIC DAMAGES.—

(1) HEALTH CARE PROVIDERS.—In any health care lawsuit where final judgment is rendered against a health care provider, the amount of noneconomic damages recovered from the provider, if otherwise available under applicable Federal or State law, may be as much as $250,000, regardless of the number of parties other than a health care institution against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence.

(2) HEALTH CARE INSTITUTIONS.—

(A) SINGLE INSTITUTION.—In any health care lawsuit where final judgment is rendered against a single health care institution, the amount of noneconomic damages recovered from the institution, if otherwise available under applicable Federal or State

law, may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence.

(B) MULTIPLE INSTITUTIONS.—In any health care lawsuit where final judgment is rendered against more than one health care institution, the amount of noneconomic damages recovered from each institution, if otherwise available under applicable Federal or State law, may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same occurrence, except that the total amount recovered from all such institutions in such lawsuit shall not exceed $500,000.

(c) NO DISCOUNT OF AWARD FOR NONECONOMIC DAMAGES.—In any health care lawsuit—

(1) an award for future noneconomic damages shall not be discounted to present value;

(2) the jury shall not be informed about the maximum award for noneconomic damages under subsection (b);

(3) an award for noneconomic damages in excess of the limitations provided for in subsection (b) shall be reduced either before the entry of judgment, or by amendment of the judgment after entry of judgment, and such reduction shall be made before accounting for any other reduction in damages required by law; and

(4) if separate awards are rendered for past and future noneconomic damages and the combined awards exceed the limitations described in subsection (b), the future noneconomic damages shall be reduced first.

(d) FAIR SHARE RULE.—In any health care lawsuit, each party shall be liable for that party's several share of any damages only and not for the share of any other person. Each party shall be liable only for the amount of damages allocated to such party in direct proportion to such party's percentage of responsibility. A separate judgment shall be rendered against each such party for the amount allocated to such party. For purposes of this section, the trier of fact shall determine the proportion of responsibility of each party for the claimant's harm.

SEC. 10106. MAXIMIZING PATIENT RECOVERY.

(a) COURT SUPERVISION OF SHARE OF DAMAGES ACTUALLY PAID TO CLAIMANTS.—

(1) IN GENERAL.—In any health care lawsuit, the court shall supervise the arrangements for payment of damages to protect against conflicts of interest that may have the effect of reducing the amount of damages awarded that are actually paid to claimants.

(2) CONTINGENCY FEES.—

(A) IN GENERAL.—In any health care lawsuit in which the attorney for a party claims a financial stake in the outcome by virtue of a contingent fee, the court shall have the power to restrict the payment of a claimant's damage recovery to such attorney, and to redirect such damages to the claimant based upon the interests of justice and principles of equity.

(B) LIMITATION.—The total of all contingent fees for representing all claimants in a health care lawsuit shall not exceed the following limits:

(i) 40 percent of the first $50,000 recovered by the claimant(s).

(ii) 33⅓ percent of the next $50,000 recovered by the claimant(s).

(iii) 25 percent of the next $500,000 recovered by the claimant(s).

(iv) 15 percent of any amount by which the recovery by the claimant(s) is in excess of $600,000.

(b) APPLICABILITY.—

(1) IN GENERAL.—The limitations in subsection (a) shall apply whether the recovery is by judgment, settlement, mediation, arbitration, or any other form of alternative dispute resolution.

(2) MINORS.—In a health care lawsuit involving a minor or incompetent person, a court retains the authority to authorize or approve a fee that is less than the maximum permitted under this section.

(c) EXPERT WITNESSES.—

(1) REQUIREMENT.—No individual shall be qualified to testify as an expert witness concerning issues of negligence in any health care lawsuit against a defendant unless such individual—

(A) except as required under paragraph (2), is a health care professional who—

(i) is appropriately credentialed or licensed in 1 or more States to deliver health care services; and

(ii) typically treats the diagnosis or condition or provides the type of treatment under review; and

(B) can demonstrate by competent evidence that, as a result of training, education, knowledge, and experience in the evaluation, diagnosis, and treatment of the disease or injury which is the subject matter of the lawsuit against the defendant, the individual was substantially familiar with applicable standards of care and practice as they relate to the act or omission which is the subject of the lawsuit on the date of the incident.

(2) PHYSICIAN REVIEW.—In a health care lawsuit, if the claim of the plaintiff involved treatment that is recommended or provided by a physician (allopathic or osteopathic), an individual shall not be qualified to be an expert witness under this subsection with respect to issues of negligence concerning such treatment unless such individual is a physician.

(3) SPECIALTIES AND SUBSPECIALTIES.—With respect to a lawsuit described in paragraph (1), a court shall not permit an expert in one medical specialty or subspecialty to testify against a defendant in another medical specialty or subspecialty unless, in addition to a showing of substantial familiarity in accordance with paragraph (1)(B), there is a showing that the standards of care and practice in the two specialty or subspecialty fields are similar.

(4) LIMITATION.—The limitations in this subsection shall not apply to expert witnesses testifying as to the degree or permanency of medical or physical impairment.

SEC. 10107. ADDITIONAL HEALTH BENEFITS.

(a) IN GENERAL.—The amount of any damages received by a claimant in any health care lawsuit shall be reduced by the court by the amount of any collateral source benefits to which the claimant is entitled, less any insurance premiums or other payments made by the claimant (or by the spouse, parent, child, or legal guardian of the claimant) to obtain or secure such benefits.

(b) PRESERVATION OF CURRENT LAW.—Where a payor of collateral source benefits has a right of recovery by reimbursement or subrogation and such right is permitted under Federal or State law, subsection (a) shall not apply.

(c) APPLICATION OF PROVISION.—This section shall apply to any health care lawsuit that is settled or resolved by a fact finder.

SEC. 10108. PUNITIVE DAMAGES.

(a) PUNITIVE DAMAGES PERMITTED.—

(1) IN GENERAL.—Punitive damages may, if otherwise available under applicable State or Federal law, be awarded against any person in a health care lawsuit only if it is proven by clear and convincing evidence that such person acted with malicious intent to injure the claimant, or that such person deliberately failed to avoid unnecessary injury that such person knew the claimant was substantially certain to suffer.

(2) FILING OF LAWSUIT.—No demand for punitive damages shall be included in a health care lawsuit as initially filed. A court may allow a claimant to file an amended pleading for punitive damages only upon a motion by the claimant and after a finding by the court, upon review of supporting and opposing affidavits or after a hearing, after weighing the evidence, that the claimant has established by a substantial probability that the claimant will prevail on the claim for punitive damages.

(3) SEPARATE PROCEEDING.—At the request of any party in a health care lawsuit, the trier of fact shall consider in a separate proceeding—

(A) whether punitive damages are to be awarded and the amount of such award; and

(B) the amount of punitive damages following a determination of punitive liability. If a separate proceeding is requested, evidence relevant only to the claim for punitive damages, as determined by applicable State law, shall be inadmissible in any proceeding to determine whether compensatory damages are to be awarded.

(4) LIMITATION WHERE NO COMPENSATORY DAMAGES ARE AWARDED.—In any health care lawsuit where no judgment for compensatory damages is rendered against a person, no punitive damages may be awarded with respect to the claim in such lawsuit against such person.

(b) DETERMINING AMOUNT OF PUNITIVE DAMAGES.—

(1) FACTORS CONSIDERED.—In determining the amount of punitive damages under this section, the trier of fact shall consider only the following:

(A) the severity of the harm caused by the conduct of such party;

(B) the duration of the conduct or any concealment of it by such party;

(C) the profitability of the conduct to such party;

(D) the number of products sold or medical procedures rendered for compensation, as the case may be, by such party, of the kind causing the harm complained of by the claimant;

(E) any criminal penalties imposed on such party, as a result of the conduct complained of by the claimant; and

(F) the amount of any civil fines assessed against such party as a result of the conduct complained of by the claimant.

(2) MAXIMUM AWARD.—The amount of punitive damages awarded in a health care lawsuit may not exceed an amount equal to two times the amount of economic damages awarded in the lawsuit or $250,000, whichever is greater. The jury shall not be informed of the limitation under the preceding sentence.

(c) LIABILITY OF HEALTH CARE PROVIDERS.—

(1) IN GENERAL.—A health care provider who prescribes, or who dispenses pursuant to a prescription, a drug, biological product, or medical device approved by the Food and Drug Administration, for an approved indication of the drug, biological product, or medical device, shall not be named as a party to a product liability lawsuit invoking such drug, biological product, or medical device and shall not be liable to a claimant in a class action lawsuit against the manufacturer, distributor, or product seller of such drug, biological product, or medical device.

(2) MEDICAL PRODUCT.—The term ''medical product'' means a drug or device intended for humans. The terms ''drug'' and ''device'' have the meanings given such terms in sections 201(g)(1) and 201(h) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321), respectively, including any component or raw material used therein, but excluding health care services.

SEC. 10109. AUTHORIZATION OF PAYMENT OF FUTURE DAMAGES TO CLAIMANTS IN HEALTH CARE LAWSUITS.

(a) IN GENERAL.—In any health care lawsuit, if an award of future damages, without reduction to present value, equaling or exceeding $50,000 is made against a party with sufficient insurance or other assets to fund a periodic payment of such a judgment, the court shall, at the request of any party, enter a judgment ordering that the future damages be paid by periodic payments in accordance with the Uniform Periodic Payment of Judgments Act promulgated by the National Conference of Commissioners on Uniform State Laws.

(b) APPLICABILITY.—This section applies to all actions which have not been first set for trial or retrial before the effective date of this subtitle.

SEC. 10110. EFFECT ON OTHER LAWS.

(a) GENERAL VACCINE INJURY.—

(1) IN GENERAL.—To the extent that title XXI of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a vaccine-related injury or death—

(A) this subtitle shall not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this subtitle in conflict with a rule of law of such title XXI shall not apply to such action.

(2) EXCEPTION.—If there is an aspect of a civil action brought for a vaccine-related injury or death to which a Federal rule of law under title XXI of the Public Health Service Act does not apply, then this subtitle or otherwise applicable law (as determined under this subtitle) will apply to such aspect of such action.

(b) SMALLPOX VACCINE INJURY.—

(1) IN GENERAL.—To the extent that part C of title II of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a smallpox vaccine-related injury or death—

(A) this subtitle shall not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this subtitle in conflict with a rule of law of such part C shall not apply to such action.

(2) EXCEPTION.—If there is an aspect of a civil action brought for a smallpox vaccine-related injury or death to which a Federal rule of law under part C of title II of the Public Health Service Act does not apply, then this subtitle or otherwise applicable law (as determined under this subtitle) will apply to such aspect of such action.

(c) OTHER FEDERAL LAW.—Except as provided in this section, nothing in this subtitle shall be deemed to affect any defense available, or any limitation on liability that applies to, a defendant in a health care lawsuit or action under any other provision of Federal law.

SEC. 10111. STATE FLEXIBILITY AND PROTECTION OF STATES' RIGHTS.

(a) HEALTH CARE LAWSUITS.—The provisions governing health care lawsuits set forth in this subtitle shall preempt, subject to subsections (b) and (c), State law to the extent that State law prevents the application of any provisions of law established by or under this subtitle. The provisions governing health care lawsuits set forth in this subtitle supersede chapter 171 of title 28, United States Code, to the extent that such chapter—

(1) provides for a greater amount of damages or contingent fees, a longer period in which a health care lawsuit may be commenced, or a reduced applicability or scope of periodic payment of future damages, than provided in this subtitle; or

(2) prohibits the introduction of evidence regarding collateral source benefits.

(b) PREEMPTION OF CERTAIN STATE LAWS.—No provision of this subtitle shall be construed to preempt any State law (whether effective before, on, or after the date of the enactment of this Act) that specifies a particular monetary amount of compensatory or punitive damages (or the total amount of damages) that may be awarded in a health care lawsuit, regardless of whether such monetary amount is greater or lesser than is provided for under this subtitle, notwithstanding section 10105(a).

(c) PROTECTION OF STATE'S RIGHTS AND OTHER LAWS.—

(1) IN GENERAL.—Any issue that is not governed by a provision of law established by or under this subtitle (including the State standards of negligence) shall be governed by otherwise applicable Federal or State law.

(2) RULE OF CONSTRUCTION.—Nothing in this subtitle shall be construed to—

(A) preempt or supersede any Federal or State law that imposes greater procedural or substantive protections (such as a shorter statute of limitations) for a health care provider or health care institution from liability, loss, or damages than those provided by this subtitle;

(B) preempt or supercede any State law that permits and provides for the enforcement of any arbitration agreement related to a health care liability claim whether enacted prior to or after the date of enactment of this Act;

(C) create a cause of action that is not otherwise available under Federal or State law; or

(D) affect the scope of preemption of any other Federal law.

SEC. 10112. APPLICABILITY; EFFECTIVE DATE.

This subtitle shall apply to any health care lawsuit brought in a Federal or State court, or subject to an alternative dispute resolution system, that is initiated on or after the date of the enactment of this Act, except that any health care lawsuit arising from an injury occurring prior to the date of enactment of this Act shall be governed by the applicable statute of limitations provisions in effect at the time the injury occurred.

SA 3248. Mr. REID proposed an amendment to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the end of the House Amendment, insert the following:

The provisions of this Act shall become effective 5 days after enactment.

SA 3249. Mr. REID proposed an amendment to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the end, insert the following:

The Appropriations Committee is requested to study the impact of any delay in implementing the provisions of the Act on service members families.

SA 3250. Mr. REID proposed an amendment SA 3249 proposed by Mr. REID to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the end, add the following:

''and the health care provided to those service members.''

SA 3251. Mr. REID proposed an amendment to amendment SA 3250 proposed by Mr. REID to the amendment SA 3249 proposed by Mr. REID to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the end, add the following:

''and the children of service members.''

SA 3252. Mr. REID proposed an amendment to amendment SA 3248 proposed by Mr. REID to the bill H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; as follows:

Strike ''5 days'' and insert ''1 day''.

SA 3253. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 816, after line 20, insert the following:

SEC. 3115. INCREASING THE LIMITATION ON CHARGES FOR PHYSICIANS' SERVICES UNDER THE MEDICARE PROGRAM.

(a) IN GENERAL.—Section 1848(g)(2)(C) of the Social Security Act (42 U.S.C. 1395w–4(g)(2)(C)) is amended by striking ''115 percent'' and all that follows through the period at the end and inserting ''the greater of—

''(i) 115 percent of the recognized payment amount under this part for nonparticipating physicians or for nonparticipating suppliers or other persons; or

''(ii) the average private insurance reimbursement rate for the item or service (as determined by the Secretary for that geographic practice cost index area).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to items and services furnished on or after the date of the enactment of this Act.

SA 3254. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 816, after line 20, insert the following:

SEC. 3115. ALLOWING INDIVIDUALS TO CHOOSE TO OPT OUT OF THE MEDICARE PART A BENEFIT.

Notwithstanding any other provision of law, in the case of an individual who elects to opt-out of benefits under part A of title XVIII of the Social Security Act, such individual shall not be required to—

(1) opt-out of benefits under title II of such Act as a condition for making such election; and

(2) repay any amount paid under such part A for items and services furnished prior to making such election.

SA 3255. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ___. MEDICAL MALPRACTICE REFORM.

Notwithstanding any other provision of this Act, a State that receives Federal funds under any amendment made by this Act to the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) to increase eligibility for participation in such program, shall implement reforms in the State medical malpractice litigation system that are designed to achieve cost savings through the development and implementation of alternatives to tort litigation.

SA 3256. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LONG-TERM FISCAL ACCOUNTABILITY.

(a) PURPOSE.—The purpose of this section is—

(1) to provide a fail-safe mechanism for ensuring that actual budgetary savings from this Act equal or exceed initial estimates of such savings;

(2) to create expedited procedures for Congress to consider legislative changes to increase savings to at least the initial estimate of this Act if actual budgetary savings are less than initial estimates; and

(3) to ensure that additional budget savings will further extend the solvency of the HI Trust Fund, lower premiums and other out-of-pocket costs for Medicare beneficiaries, and reduce the national debt.

(b) DEFINITIONS.—For the purposes of this section:

(1) BUDGETARY EFFECTS.—The term ''budgetary effects'' refers to the sum of the spending reductions and revenue increases for the period 2010 through 2019 from this Act less the sum of the spending increases and revenue reductions resulting from this Act for the same time period. The calculation shall not include an estimate of the change in federal interest payments.

(2) FEDERAL BUDGETARY COMMITMENT TO HEALTH CARE.—The term ''Federal budgetary commitment to health care'' refers to the sum of net Federal outlays for all Federal programs and tax preferences for health care.

(3) OMB PROPOSAL.—The term ''OMB proposal'' refers to the proposed legislative language and such proposal as subsequently modified, if modified by amendment in either House required under subsection (e)(2)(C) to carry out recommendations pursuant to subsection (e)(2)(A).

(4) SAVINGS TARGET.—The term ''savings target'' refers to the net total provided under subsection (d)(1) for the period 2010 through 2019.

(c) CBO ADVISORY REPORTS.—Starting on October 1, 2012, and every 2 years thereafter, through October 1, 2018, not later than 60 days after the start of the fiscal year, the Congressional Budget Office (CBO) shall submit an updated advisory report to Congress and the President. The updated report shall include a detailed estimate of the budgetary effects of this Act based on the information available for the period 2010 through 2019, as well as information on the budgetary effects for the period 2020 through 2029.

(d) OMB COST ESTIMATE REPORTS.—

(1) INITIAL COST ESTIMATE REPORT.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of Management and Budget (OMB) shall submit to Congress a report containing an estimate of the budgetary effects of this Act for 2010 through 2019, as well as information on the budgetary effects for 2020 through 2029. The estimate of net savings produced by this Act for the period 2010 through 2019 period shall serve as the savings target for future cost estimate reports, provided that the OMB estimate is not less than the final CBO estimate of net savings produced by this Act made by CBO prior to its enactment. If the savings estimated by OMB is less than the amount estimated by the CBO, then the estimate of net savings produced by the CBO shall serve as the savings target.

(2) UPDATED COST ESTIMATE REPORTS.—Starting on October 1, 2012, and every 2 years thereafter, through fiscal year 2019, OMB shall reestimate the budgetary effects of this Act based on the information available at that time. The updated cost estimate report shall include a detailed reestimate of the budgetary effects of this Act for the period 2010 through 2019, as well as information on the budgetary effects for the period 2020 through 2029.

(e) BIENNIAL SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Starting on October 1, 2012, and every 2 years thereafter, through fiscal year 2019, OMB shall submit the following to Congress along with its submission of the upcoming fiscal year budget of the United States Government required pursuant to section 1105 of title 31 of the United States Code:

(A) The updated cost estimate report completed pursuant to subsection (d)(2).

(B) An explanation of any discrepancies between the OMB updated cost estimate report and the updated advisory report prepared by CBO pursuant to subsection (c).

(2) REQUIRED INFORMATION UPON SAVINGS SHORTFALL.—For a fiscal year in which the amount estimated by OMB in its updated cost estimate report for the period 2010 through 2019 is less than the savings target, OMB shall also submit the following:

(A) Recommendations for increasing actual savings to or above the level of the savings target for years where the amount estimated under the updated cost estimate report is less than the savings target.

(B) An explanation of each recommendation.

(C) Proposed legislative language to carry out such recommendations (OMB proposal).

(D) Any other appropriate information.

(3) CONSIDERATIONS.—In developing and submitting the information required under paragraph (2), the OMB shall, to the extent feasible, give priority to recommendations that—

(A) preserve access to affordable health care;

(B) extend the solvency of the Medicare HI Trust Fund; and

(C) strengthen the long-term viability of the programs created under this Act.

(4) CONSULTATION WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND CHIEF ACTUARY OF THE CENTERS OF MEDICARE AND MEDICAID SERVICES.—In carrying out this subsection, OMB shall consult with, including submitting a draft copy of any recommendations and legislation implementing such recommendations to, the Secretary of the Department of Health and Human Services and the Chief Actuary of the Centers of Medicare and Medicaid Services.

(f) EXPEDITED CONSIDERATION OF OMB PROPOSAL.—

(1) INTRODUCTION OF OMB PROPOSAL.—The OMB proposal shall be introduced in the House of Representatives and in the Senate not later than 5 days of session after receipt by the Congress pursuant to subsection (e), by the majority leader of each House of Congress, for himself, the minority leader of each House of Congress, for himself, or any member of the House designated by the majority leader or minority leader. If the OMB proposal is not introduced in accordance with the preceding sentence in either House of Congress, then any Member of that House may introduce the OMB proposal on any day thereafter. Upon introduction, the OMB proposal shall be referred to the relevant committees of jurisdiction.

(2) COMMITTEE CONSIDERATION.—The committees to which the OMB proposal is referred shall report the OMB proposal without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than 30 calendar days after the date of introduction of the bill in that House, or the first day thereafter on which that House is in session. If any committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(3) FAST TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(A) PROCEEDING TO CONSIDERATION.—It shall be in order, not later than 7 days of session after the date on which an OMB proposal is reported or discharged from all committees to which it was referred, for the majority leader of the House of Representatives or the majority leader's designee, to move to proceed to the consideration of the OMB proposal. It shall also be in order for any Member of the House of Representatives to move to proceed to the consideration of the OMB proposal at any time after the conclusion of such 7-day period. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the OMB proposal. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(B) CONSIDERATION.—The OMB proposal shall be considered as read. The previous question shall be considered as ordered on the OMB proposal to its passage without intervening motion except 50 hours of debate, including the 2 amendments described in subparagraph (E), equally divided and controlled by the proponent and an opponent. A motion to limit debate shall be in order during such debate. A motion to reconsider the vote on passage of the OMB proposal shall not be in order.

(C) APPEALS.—Appeals from decisions of the chair relating to the application of the Rules of the House of Representatives to the procedure relating to the OMB proposal shall be decided without debate.

(D) APPLICATION OF HOUSE RULES.—Except to the extent specifically provided in this paragraph, consideration of an OMB proposal shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider any

OMB proposal introduced pursuant to the provisions of this subsection under a suspension of the rules pursuant to clause 1 of House Rule XV, or under a special rule reported by the House Committee on Rules.

(E) AMENDMENTS.—

(i) IN GENERAL.—It shall be in order for the majority leader, or his designee, and the minority leader, or his designee, to each offer one amendment in the nature of a substitute to the OMB proposal, provided that any such amendment would not have the effect of decreasing any specific budget outlay reductions below the level of such outlay reductions provided in the OMB proposal, or would have the effect of reducing Federal revenue increases below the level of such revenue increases provided in the OMB proposal, unless such amendment makes a reduction in other specific budget outlays related to Federal health expenditures, an increase in other specific Federal revenues related to Federal health expenditures, or a combination thereof, at least equivalent to the sum of any increase in outlays or decrease in revenues provided by such amendment.

(ii) SCORING.—CBO scores of the OMB proposal and any amendment in the nature of a substitute shall be used for the purpose of determining whether such amendment achieves at least the same amount of savings as the OMB proposal.

(iii) MULTIPLE AMENDMENTS.—If more than 1 amendment is offered under this subparagraph, then each amendment shall be considered separately, and the amendment receiving both an affirmative vote of three-fifths of the Members, duly chosen and sworn, and the highest number of votes shall be the amendment adopted.

(F) VOTE ON PASSAGE.—Immediately following the conclusion of consideration of the OMB proposal, the vote on passage of the OMB proposal shall occur without any intervening action or motion and shall require an affirmative vote of three-fifths of the Members, duly chosen and sworn. If the OMB proposal is passed, the Clerk of the House of Representatives shall cause the bill to be transmitted to the Senate before the close of the next day of session of the House.

(4) FAST TRACK CONSIDERATION IN SENATE.—

(A) IN GENERAL.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than 7 days of session after the date on which an OMB proposal is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the OMB proposal. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the OMB proposal at any time after the conclusion of such 7-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the OMB proposal are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the OMB proposal is agreed to, the OMB proposal shall remain the unfinished business until disposed of.

(B) DEBATE.—Consideration of an OMB proposal and of all debatable motions and appeals in connection therewith shall not exceed a total of 50 hours. Debate shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate on the OMB proposal is in order. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and those opposing the motion or appeal. All time used for consideration of the OMB proposal, including time used for quorum calls and voting, shall be counted against the total 50 hours of consideration.

(C) AMENDMENTS.—

(i) IN GENERAL.—It shall be in order for the majority leader, or his designee, and the minority leader, or his designee, to each offer one amendment in the nature of a substitute to the OMB proposal, provided that any such amendment would not have the effect of decreasing any specific budget outlay reductions below the level of such outlay reductions provided in OMB proposal, or would have the effect of reducing Federal revenue increases below the level of such revenue increases provided in the OMB proposal, unless such amendment makes a reduction in other specific budget outlays related to Federal health expenditures, an increase in other specific Federal revenues related to Federal health expenditures, or a combination thereof, at least equivalent to the sum of any increase in outlays or decrease in revenues provided by such amendment.

(ii) SCORING.—CBO scores of the OMB proposal and any amendment in the nature of a substitute shall be used for the purpose of determining whether such amendment achieves at least the same amount of savings as the OMB proposal.

(D) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on the OMB proposal and a single quorum call at the conclusion of the debate if requested. Passage shall require an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(E) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a OMB proposal shall be decided without debate.

(5) RULES TO COORDINATE ACTION WITH OTHER HOUSE.—

(A) REFERRAL.—If, before the passage by 1 House of an OMB proposal of that House, that House receives from the other House an OMB proposal, then such proposal from the other House shall not be referred to a committee and shall immediately be placed on the calendar.

(B) TREATMENT OF OMB PROPOSAL OF OTHER HOUSE.—If 1 House fails to introduce or consider a OMB proposal under this section, the OMB proposal of the other House shall be entitled to expedited floor procedures under this section.

(C) PROCEDURE.—

(i) OMB PROPOSAL IN THE SENATE.—If prior to passage of the OMB proposal in the Senate, the Senate receives an OMB proposal from the House, the procedure in the Senate shall be the same as if no OMB proposal had been received from the House except that—

(I) the vote on final passage shall be on the OMB proposal of the House if it is identical to the OMB proposal then pending for passage in the Senate; or

(II) if the OMB proposal from the House is not identical to the OMB proposal then pending for passage in the Senate and the Senate then passes the Senate OMB proposal, the Senate shall be considered to have passed the House OMB proposal as amended by the text of the Senate OMB proposal.

(ii) DISPOSITION OF THE OMB PROPOSAL.—Upon disposition of the OMB proposal received from the House, it shall no longer be in order to consider the OMB proposal originated in the Senate.

(D) TREATMENT OF COMPANION MEASURES IN THE SENATE.—If following passage of the OMB proposal in the Senate, the Senate then receives an OMB proposal from the House of Representatives that is the same as the OMB proposal passed by the House, the House-passed OMB proposal shall not be debatable. If the House-passed OMB proposal is identical to the Senate-passed OMB proposal, the vote on passage of the OMB proposal in the Senate shall be considered to be the vote on passage of the OMB proposal received from the House of Representatives. If it is not identical to the House-passed OMB proposal, then the Senate shall be considered to have passed the OMB proposal of the House as amended by the text of the Senate OMB proposal.

(E) CONSIDERATION IN CONFERENCE.—Upon passage of the OMB proposal, the Senate shall be deemed to have insisted on its amendment and requested a conference with the House of Representatives on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, without any intervening action.

(F) ACTION ON CONFERENCE REPORTS IN SENATE.—

(i) MOTION TO PROCEED.—A motion to proceed to the consideration of the conference report on the OMB proposal may be made even though a previous motion to the same effect has been disagreed to.

(ii) CONSIDERATION.—During the consideration in the Senate of the conference report (or a message between Houses) on the OMB proposal, and all amendments in disagreement, and all amendments thereto, and debatable motions and appeals in connection therewith, debate (or consideration) shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and minority leader or their designees. Debate on any debatable motion or appeal related to the conference report (or a message between Houses) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report (or a message between Houses).

(iii) DEBATE IF DEFEATED.—If the conference report is defeated, debate on any request for a new conference and the appointment of conferees shall be limited to 1 hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to one-half hour, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between and controlled by the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or his designee.

(iv) AMENDMENTS IN DISAGREEMENT.—If there are amendments in disagreement to a conference report on the OMB proposal, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment that is not germane to the provisions of such amendments shall be received.

(G) VOTE ON CONFERENCE REPORT IN EACH HOUSE.—Passage of the conference in each House shall be by an affirmative vote of three-fifths of the Members of that House, duly chosen and sworn.

(H) VETO.—If the President vetoes the bill debate on a veto message in the Senate under this subsection shall be 1 hour equally divided between the majority and minority leaders or their designees.

(6) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively but applicable only with respect to the procedure to be followed in that House in the case of bill under this section, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 3257. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 352, line 8, strike ''50'' and insert ''500''.

On page 352, line 13, strike ''50'' and insert ''500''.

On page 352, line 16, strike ''50'' and insert ''500''.

On page 352, line 20, strike ''50'' and insert ''500''.

SA 3258. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 869, between lines 14 and 15, insert the following:

SEC. 3143. FLOOR ON AREA WAGE INDEX.

(a) IN GENERAL.—Notwithstanding any other provision of law, beginning with discharges occurring on or after October 1, 2009, for purposes of section 1886(d)(3)(E) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(E)), the area wage index applicable under such section to hospitals with Medicare provider numbers 300001, 300003, 300005, 300011, 300012, 300014, 300017, 300018, 300019, 300020, 300023, 300029, and 300034 shall not be less than the post-reclassification area wage index applicable to the hospital for purposes of determining payments during the period beginning on or after October 1, 2006, and before October 1, 2007.

(b) IMPLEMENTATION.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall make a proportional adjustment in the standardized amounts determined under section 1886(d)(3) of the Social Security Act (42 U.S.C. 1395ww(d)(3)) to assure that the provisions of this section do not result in aggregate payments under section 1886 of such Act (42 U.S.C. 1395ww) that are greater or less than those that would otherwise be made. Notwithstanding any other provision of law, for purposes of making adjustments under this subsection, the Secretary shall not further adjust the wage index or standardized amounts for any area, State, or region within the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on December 16, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 16, 2009, at 1:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 16, at 11:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 16, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 16, 2009, at 3 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on December 16, 2009.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on December 16, 2009, at 2:30 p.m. to conduct a hearing entitled, ''Tools to Combat Deficits and Waste: Enhanced Rescission Authority''.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate on December 16, 2009, at 10:30 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Law of the Land: U.S. Implementation of Human Rights Treaties.''

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE ESTABLISHMENT OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND THE HASHEMITE KINGDOM OF JORDAN

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 376, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 376) honoring the 60th anniversary of the establishment of diplomatic relations between the United States and the Hashemite Kingdom of Jordan, the 10th anniversary of the accession to the throne of His Majesty King Abdullah II Ibn Al Hussein, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. INOUYE. Madam President, today, I am supporting this resolution to honor the 60th anniversary of the establishment of diplomatic relations between the U.S. and the Hashemite Kingdom of Jordan, as well as to honor the 10th anniversary of His Majesty King Abdullah II Ibn Al Hussein's accession to the throne. I am pleased to be joined in this endeavor by Senator GREGG.

Since establishing diplomatic relations, Jordan has worked together with the U.S. towards the mutual goal of peace in the Middle East. In 1994, King Hussein and Prime Minister of Israel, Yitzhak Rabin, signed the Jordan-Israel peace treaty, ending nearly 50 years of war between the two countries. The government of Jordan has been an instrumental partner in the fight against al-Qaida and terrorism. As a result, the people of Jordan have also suffered devastating losses at the hands of terrorists.

Mr. DURBIN. I ask unanimous consent to be added as a cosponsor to this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent that the resolution be agreed to,

the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 376) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 376

Whereas the Hashemite Kingdom of Jordan achieved independence on May 25, 1946;

Whereas the United States recognized Jordan as an independent state in a White House announcement on January 31, 1949;

Whereas diplomatic relations and the American Legation in Jordan were established on February 18, 1949, when United States diplomat Wells Stabler presented his credentials as Chargé d'Affaires in Amman;

Whereas, for 60 years, the United States and Jordan have enjoyed a close relationship and have worked together to advance issues ranging from the promotion of Middle East peace to advancing the socio-economic development of the people of Jordan, as well as the threat to both posed by al Qaeda and violent extremism;

Whereas, from 1952 to 1999, King Hussein charted a moderate path for his country;

Whereas, for decades, the United States has been Jordan's strongest international partner;

Whereas, throughout his reign, King Hussein looked for opportunities to realize his dream of a more peaceful Middle East by working to solve intra-Arab disputes and engaging successive Prime Ministers of Israel in the search for peace;

Whereas King Hussein and Prime Minister of Israel Yitzhak Rabin signed the historic Jordan-Israel peace treaty in 1994, ending nearly 50 years of war between the neighboring countries;

Whereas the United States lost a close friend and a crucial partner when King Hussein passed away in 1999;

Whereas King Hussein was succeeded by his son, King Abdullah II, who has continued his father's work to improve the lives of the people of Jordan while also seeking to bring peace to the region;

Whereas, in the aftermath of the September 11, 2001, terrorist attacks, the Government of Jordan has been an instrumental partner in the fight against al Qaeda, has provided crucial assistance in Iraq, and has shouldered a heavy burden in providing refuge to a significant portion of the Iraqi refugee population;

Whereas, through his 2004 Amman Message, King Abdullah II has been a leading Arab voice in trying to reaffirm the true path of Islam;

Whereas, in November 2005, al Qaeda terrorists struck three hotels in Amman, Jordan, thereby uniting the people of Jordan and the United States in grief over the lives lost at this act of terrorism; and

Whereas King Abdullah II begins his second decade on the Hashemite throne by redoubling his efforts for peace in the region as the Jordan-United States partnership enters its seventh decade: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 60th anniversary of the close relationship between the United States and the Hashemite Kingdom of Jordan;

(2) expresses its profound admiration and gratitude for the friendship of the people of Jordan;

(3) congratulates His Majesty King Abdullah II on 10 years of enlightened and progressive rule; and

(4) shares the hope of His Majesty King Abdullah II and the people of Jordan for a more peaceful Middle East.

ORDERS FOR THURSDAY, DECEMBER 17, 2009

Mr. DURBIN. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, December 17; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the House message with respect to H.R. 3326, the Department of Defense appropriations bill, with Senators permitted to speak for up to 10 minutes each; provided further that the first hour be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:21 p.m., adjourned until Thursday, December 17, 2009, at 10 a.m.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 17, 2009 may be found in the Daily Digest of today's RECORD.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S13277–S13341

Measures Introduced: Nine bills and two resolutions were introduced, as follows: S. 2885–2893, S. Res. 376, and S. Con. Res. 48. **Pages S13319–20**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals From the Concurrent Resolution, Fiscal Year 2010.". (S. Rept. No. 111–109)

H.R. 310, to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America.

H.R. 511, to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village.

S. Res. 374, recognizing the cooperative efforts of hunters, sportsmen's associations, meat processors, hunger relief organizations, and State wildlife, health, and food safety agencies to establish programs that provide game meat to feed the hungry.

S. 1672, to reauthorize the National Oilheat Research Alliance Act of 2000.

S. 1790, to amend the Indian Health Care Improvement Act to revise and extend that Act, with amendments. **Page S13319**

Measures Passed:

Honoring Diplomatic Relations Between the United States and the Hashemite Kingdom of Jordan: Senate agreed to S. Res. 376, honoring the 60th anniversary of the establishment of diplomatic relations between the United States and the Hashemite Kingdom of Jordan, the 10th anniversary of the accession to the throne of His Majesty King Abdullah II Ibn Al Hussein. **Pages S13340–41**

Measures Considered:

Service Members Home Ownership Tax Act: Senate continued consideration of H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, taking action on the following amendments proposed thereto: **Pages S13280–95**

Rejected:

Hutchison Motion to commit to the bill to the Committee on Finance, with instructions. (By 56 yeas to 41 nays (Vote No. 379), Senate tabled the motion.) **Pages S13280, S13295**

Withdrawn:

Sanders Amendment No. 2837 (to Amendment No. 2786), to provide for health care for every American and to control the cost and enhance the quality of the health care system. **Pages S13290–95**

Pending:

Reid Amendment No. 2786, in the nature of a substitute. **Page S13280**

Department of Defense Appropriations Act—Agreement: Senate began consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, taking action on the following motions and amendments proposed thereto: **Pages S13295–S13314**

Pending:

Senator Reid entered a motion to concur in the amendment of the House to the amendment of the Senate to the bill. **Page S13295**

Senator Reid entered a motion to concur in the amendment of the House to the amendment of the Senate with Amendment No. 3248 (to the House Amendment to the Senate Amendment), to change the enactment date. **Page S13295**

Senator Reid entered a motion to refer the amendment of the House to the Committee on Appropriations, with instructions, Reid Amendment No. 3249, to provide for a study. **Pages S13295–96**

Reid Amendment No. 3252 (to Reid Amendment No. 3248), to change the enactment date. **Page S13295**

Reid Amendment No. 3250 (to Amendment No. 3249), of a perfecting nature. **Page S13296**

Reid Amendment No. 3251 (to Amendment No. 3250), of a perfecting nature. **Page S13296**

A motion was entered to close further debate on the motion to concur in the amendment of the House to the amendment of the Senate to the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, December 18, 2009.

Page S13295

A unanimous-consent-time agreement was reached providing for further consideration of the amendment of the House of Representatives to the amendment of the Senate to the bill at approximately 10 a.m., on Thursday, December 17, 2009; provided further, that the first hour be equally divided and controlled between the two Leaders, or their designees, with Republicans controlling the first half hour and the Majority controlling the second half.

Page S13341

Messages from the House: **Page S13317**

Measures Referred: **Page S13317**

Executive Communications: **Pages S13317–19**

Executive Reports of Committees: **Page S13319**

Additional Cosponsors: **Pages S13320–21**

Statements on Introduced Bills/Resolutions: **Pages S13321–26**

Additional Statements: **Pages S13315–17**

Amendments Submitted: **Pages S13326–40**

Authorities for Committees to Meet: **Page S13340**

Record Votes: One record vote was taken today. (Total—379) **Page S13295**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:21 p.m., until 10 a.m. on Thursday, December 17, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13341.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the following business items:

H.R. 310, to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America;

H.R. 511, to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village;

S. Res. 374, recognizing the cooperative efforts of hunters, sportsmen's associations, meat processors, hunger relief organizations, and State wildlife, health, and food safety agencies to establish programs that provide game meat to feed the hungry;

A resolution to authorize watershed projects in Massachusetts and West Virginia; and

The nomination of Jill Long Thompson, of Indiana, to be a Member of the Farm Credit Administration Board, Farm Credit Administration.

Also, committee announced the following subcommittee assignments:

Subcommittee on Rural Revitalization, Conservation, Forestry and Credit: Senators Stabenow (Chair), Leahy, Harkin, Nelson (NE), Casey, Bennet, Cornyn, Cochran, McConnell, Grassley, and Thune.

Subcommittee on Energy, Science and Technology: Senators Bennet (Chair), Conrad, Nelson (NE), Brown, Klobuchar, Stabenow, Gillibrand, Thune, Lugar, Roberts, Johanns, Grassley, and Cornyn.

Subcommittee on Hunger, Nutrition, and Family Farms: Senators Brown (Chair), Leahy, Harkin, Baucus, Stabenow, Casey, Klobuchar, Bennet, Gillibrand, Lugar, Cochran, McConnell, and Cornyn.

Subcommittee on Production, Income Protection and Price Support: Senators Casey (Chair), Leahy, Harkin, Conrad, Baucus, Brown, Roberts, Cochran, Johanns, Grassley, and Thune.

Subcommittee on Domestic and Foreign Marketing, Inspection, and Plant & Animal Health: Senators Gillibrand (Chair), Conrad, Baucus, Nelson (NE), Klobuchar, Johanns, Lugar, McConnell, and Roberts.

Senator Lincoln and Senator Chambliss serve as ex officio members of all subcommittees.

JOINT STRIKE FIGHTER PROGRAM

Committee on Armed Services: Committee met in closed session to receive a briefing on the assessment by the Joint Estimating Team of the F–35 Joint Strike Fighter Program, after receiving testimony from Ashton B. Carter, Under Secretary for Acquisition, Technology, and Logistics, Christine H. Fox, Director, and Frederick Janicki, Division Director, Weapons Systems Cost Analysis Division, both of the Office of Cost Assessment and Program Evaluation, and Major General David R. Heinz, USMC, Program Executive Officer, Joint Strike Fighter Program, all of the Department of Defense.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. Res. 275, honoring the Minute Man National Historical Park on the occasion of its 50th anniversary;

S. Res. 297, to recognize the Dyke Marsh Wildlife Preserve as a unique and precious ecosystem;

S. 409, to secure Federal ownership and management of significant natural, scenic, and recreational resources, to provide for the protection of cultural resources, to facilitate the efficient extraction of mineral resources by authorizing and directing an exchange of Federal and non-Federal land, with an amendment in the nature of a substitute;

S. 522, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, with an amendment in the nature of a substitute;

S. 555, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, with an amendment in the nature of a substitute;

S. 721, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, with an amendment in the nature of a substitute;

S. 782, to provide for the establishment of the National Volcano Early Warning and Monitoring System, with an amendment in the nature of a substitute;

S. 853, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, with amendments;

S. 874, to establish El Rio Grande Del Norte National Conservation Area in the State of New Mexico, with an amendment in the nature of a substitute;

S. 940, to direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain Federal land located in Clark and Nye counties, Nevada, with an amendment in the nature of a substitute;

S. 1053, to amend the National Law Enforcement Museum Act to extend the termination date;

S. 1139, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, with an amendment in the nature of a substitute;

S. 1140, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon, with an amendment in the nature of a substitute;

S. 1369, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, with an amendment;

S. 1405, to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site";

S. 1453, to amend Public Law 106–392 to maintain annual base funding for the Bureau of Reclamation for the Upper Colorado River and San Juan fish recovery programs through fiscal year 2023;

S. 1672, to reauthorize the National Oilheat Research Alliance Act of 2000;

S. 1757, to provide for the prepayment of a repayment contract between the United States and the Uintah Water Conservancy District;

S. 1759, to authorize certain transfers of water in the Central Valley Project, with an amendment in the nature of a substitute;

H.R. 689, to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, with an amendment in the nature of a substitute;

H.R. 714, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, with amendments;

H.R. 1121, to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina;

H.R. 1287, to authorize the Secretary of the Interior to enter into a partnership with the Porter County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore;

H.R. 1376, to establish the Waco Mammoth National Monument in the State of Texas;

H.R. 1442, to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909;

H.R. 1593, to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System;

H.R. 1694, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, with amendments;

H.R. 1945, to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes;

H.R. 2330, to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System, with an amendment in the nature of a substitute;

H.R. 2802, to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy;

H.R. 3113, to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System; and

H.R. 3276, to promote the production of molybdenum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes, with an amendment in the nature of a substitute;

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 1102, to provide benefits to domestic partners of Federal employees, with an amendment in the nature of a substitute;

S. 1830, to establish the Chief Conservation Officers Council to improve the energy efficiencies of Federal agencies, with an amendment in the nature of a substitute;

S. 2868, to provide increased access to the General Services Administration's Schedules Program by the American Red Cross and State and local governments;

H.R. 2711, to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties, with an amendment;

S. 2865, to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.);

S. 2872, to reauthorize appropriations for the National Historical Publications and Records Commission through fiscal year 2014, with amendments;

H.R. 2877, to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the "1st Lieutenant Louis Allen Post Office";

H.R. 3667, to designate the facility of the United States Postal Service located at 16555 Springs Street in White Springs, Florida, as the "Clyde L. Hillhouse Post Office Building";

H.R. 3788, to designate the facility of the United States Postal Service located at 3900 Darrow Road in Stow, Ohio, as the "Corporal Joseph A. Tomci Post Office Building";

H.R. 1817, to designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the "John S. Wilder Post Office Building";

H.R. 3072, to designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the "Coach Jodie Bailey Post Office Building";

H.R. 3319, to designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building";

H.R. 3539, to designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the "Patricia D. McGinty-Juhl Post Office Building";

H.R. 3767, to designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the "W. Hazen Hillyard Post Office Building"; and

The nominations of Grayling Grant Williams, of Maryland, to be Director of the Office of Counternarcotics Enforcement, and Elizabeth M. Harman, of Maryland, to be an Assistant Administrator of the Federal Emergency Management Agency, both of the Department of Homeland Security.

TOOLS TO COMBAT DEFICITS AND WASTE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine tools to combat deficits and waste, focusing on enhanced rescission authority, including the Impoundment Control Act of 1974, which was enacted to tighten congressional control over presidential impoundments and establish a procedure under which Congress could consider the merits of rescissions proposed by the President, after receiving testimony from Senator Feingold; Todd B. Tatelman, Legislative Attorney, Congressional Research Service, Library of Congress; Susan A. Poling, Managing Associate General Counsel, Office of General Counsel, Government Accountability Office; Raymond C.

Scheppach, National Governors Association, Washington, D.C.; Robert L. Bixby, The Concord Coalition, Arlington, Virginia; and Thomas A. Schatz, Citizens Against Government Waste, Alexandria, Virginia.

HUMAN RIGHTS TREATIES

Committee on the Judiciary: Subcommittee on Human Rights and the Law concluded a hearing to examine United States implementation of human rights treaties, after receiving testimony from Thomas E. Perez, Assistant Attorney General, Department of Justice; Michael H. Posner, Assistant Secretary of State for Democracy, Human Rights and Labor; and Wade Henderson, Leadership Conference on Civil and Human Rights, and Elisa Massimino, Human Rights First, both of Washington, DC.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of James A. Wynn, Jr., of North Carolina, and Albert Diaz, of North Carolina, both to be a United States Circuit Judge for the Fourth Circuit, after the nominees, who were introduced by Senators Burr and Hagan, testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nomination of Robert A. Petzel, of Minnesota, to be Under Secretary of Veterans Affairs for Health.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 82 public bills, H.R. 4326–4407; and 23 resolutions, H.J. Res. 65–66; H. Con. Res. 223–225; and H. Res. 977–994 were introduced. **Pages H15498–H15502**

Additional Cosponsors: **Pages H15502–04**

Reports Filed: Reports were filed today as follows:

H. Res. 976, providing for consideration of the Senate amendment to the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes; for consideration of the joint resolution (H.J. Res. 64) making further continuing appropriations for fiscal year 2010, and for other purposes; for consideration of the bill (H.R. 4314) to permit continued financing of Government operations; for consideration of the Senate amendment to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; and for other purposes (H. Rept. 111–380) and

H.R. 2190, to amend the Toxic Substances Control Act to phase out the use of mercury in the manufacture of chlorine and caustic soda, with an amendment (H. Rept. 111–381). **Page H15498**

Speaker: Read a letter from the Speaker wherein she appointed Representative Baldwin to act as Speaker pro tempore for today. **Page H14983**

Adjournment Resolution: The House agreed to H. Con. Res. 223, providing for the sine die adjournment of the first session of the One Hundred Eleventh Congress, by a yea-and-nay vote of 222 yeas to 195 nays, Roll No. 978. **Pages H14991–92**

Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules: The House agreed to H. Res. 973, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, by a recorded vote of 218 ayes to 202 noes, Roll No. 980, after agreeing to order the previous question by a yea-and-nay vote of 226 yeas to 192 nays, Roll No. 979. **Pages H14992–93**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Monday, December 14th:

Honoring the American Kennel Club on its 125th anniversary: H. Con. Res. 160, amended, to honor the American Kennel Club on its 125th anniversary, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 981. **Pages H14993–94**

Agreed to amend the title so as to read: "Recognizing the contributions of the American Kennel Club.". **Page H14994**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, December 15th:

Recognizing the 70th anniversary of the retirement of Justice Louis D. Brandeis from the United States Supreme Court: H. Res. 905, to recognize the 70th anniversary of the retirement of Justice Louis D. Brandeis from the United States Supreme Court, by a ⅔ yea-and-nay vote of 423 yeas to 1 nay, Roll No. 984; **Pages H15006–07**

PHONE Act of 2009: H.R. 1110, amended, to amend title 18, United States Code and to prevent caller ID spoofing, by a ⅔ recorded vote of 418 ayes to 1 no, Roll No. 986; **Pages H15420–21**

Daniel Pearl Freedom of the Press Act of 2009: H.R. 3714, amended, to amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries and to establish a grant program to promote freedom of the press worldwide, by a ⅔ recorded vote of 403 ayes to 12 noes, Roll No. 989; **Page H15431**

Agreed to amend the title so as to read: ''To amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes.''. **Page H15431**

Law Student Clinic Participation Act of 2009: H.R. 4194, to amend title 18, United States Code, to exempt qualifying law school students participating in legal clinics or externships from the application of the conflict of interest rules under section 205 of such title; and **Page H15473**

Local Community Radio Act of 2009: H.R. 1147, amended, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service. **Page H15473**

Question of Consideration: The House agreed to consider the Senate amendment to H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, by voice vote. **Page H15007**

Department of Defense Appropriations Act, 2010: The House concurred in the Senate amendment to H.R. 3326, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, with the amendment printed in part A of H. Rept. 111–380, by a yea-and-nay vote of 395 yeas to 34 nays, Roll No. 985. **Pages H15007–H15420**

H. Res. 976, the rule providing for consideration of the Senate amendment to H.R. 3326, H.J. Res. 64, H.R. 4314, and the Senate amendment to H.R. 2847, was agreed to by a recorded vote of 228 ayes to 201 noes, Roll No. 983, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 193 nays, Roll No. 982. **Pages H15005–06**

A point of order was raised against the consideration of H. Res. 976 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H14995–96**

Making further continuing appropriations for fiscal year 2010: The House agreed to H.J. Res. 64, making further continuing appropriations for fiscal year 2010, by voice vote. **Page H15421**

H. Res. 976, the rule providing for consideration of the Senate amendment to H.R. 3326, H.J. Res. 64, H.R. 4314, and the Senate amendment to H.R. 2847, was agreed to by a recorded vote of 228 ayes to 201 noes, Roll No. 983, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 193 nays, Roll No. 982. **Pages H15005–06**

A point of order was raised against the consideration of H. Res. 976 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H14995–96**

Call of the House: The Speaker called the House to order and ascertained the presence of a quorum (415 present, Roll No. 987). **Pages H15427–28**

Permitting continued financing of Government operations: The House passed H.R. 4314, to permit continued financing of Government operations, by a recorded vote of 218 ayes to 214 noes, Roll No. 988. **Pages H15421–27, H15428–31**

H. Res. 976, the rule providing for consideration of the Senate amendment to H.R. 3326, H.J. Res. 64, H.R. 4314, and the Senate amendment to H.R. 2847, was agreed to by a recorded vote of 228 ayes to 201 noes, Roll No. 983, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 193 nays, Roll No. 982. **Pages H15005–06**

A point of order was raised against the consideration of H. Res. 976 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H14995–96**

Question of Consideration: The House agreed to consider the Senate amendment to H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, by voice vote. **Page H15421**

Call of the House: The Speaker called the House to order and ascertained the presence of a quorum (429 present, Roll No. 990). **Page H15472**

Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010: The House concurred in the Senate amendment to H.R. 2847,

making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, with the amendment printed in part B of H. Rept. 111–380, by a recorded vote of 217 ayes to 212 noes, Roll No. 991. **Pages H15431–73**

H. Res. 976, the rule providing for consideration of the Senate amendment to H.R. 3326, H.J. Res. 64, H.R. 4314, and the Senate amendment to H.R. 2847, was agreed to by a recorded vote of 228 ayes to 201 noes, Roll No. 983, after the previous question was ordered by a yea-and-nay vote of 235 yeas to 193 nays, Roll No. 982. **Pages H15005–06**

A point of order was raised against the consideration of H. Res. 976 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H14995–96**

Pursuant to section 5 of the rule, in the engrossment of the House amendment to the Senate amendment to H.R. 2847, the Clerk shall (a) add the text of H.R. 2920, as passed by the House, as new matter at the end of the text proposed to be inserted by the House amendment; (b) assign appropriate designations to provisions within the engrossment of the text proposed to be inserted by the House; and (c) conform provisions for short titles within the engrossment of the text proposed to be inserted by the House.

United States-China Economic and Security Review Commission—Reappointment: The Chair announced the Speaker's reappointment of the following members on the part of the House to the United States-China Economic and Security Review Commission, effective January 1, 2010: Ms. Carolyn Bartholomew of Washington, DC and Mr. Jeffrey L. Fiedler of Great Falls, VA. **Page H15473**

Member Resignation: Read a letter from Representative Wexler, where he resigned as Representative for the 19th Congressional District of Florida, effective at the end of the day on January 3, 2010. **Page H15473**

Quorum Calls—Votes: Six yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H14991–92, H14992, H14993, H14993–94, H15005, H15005–06, H15006–07, H15419–20, H15420, H15430–31, H15431, H15472–73. Two quorum calls (Roll No. 987 and Roll No. 990) developed during the proceedings of today and appears on pages H15427–28, H15472.

Adjournment: The House met at 9 a.m. and at p.m., the House stands adjourned until 6 p.m. on Saturday, December 19, 2009 unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 223, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Committee Meetings

CYBERSPACE RADICALIZATION COUNTER-RADICALIZATION

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on understanding cyberspace as a medium for radicalization and counter-radicalization. Testimony was heard from public witnesses.

CHILDHOOD OBESITY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Innovations in Addressing Childhood Obesity." Testimony was heard from the following officials of the Department of Health and Human Services: William H. Dietz, M.D., Director, Division of Nutrition, Physical Activity, and Obesity, Centers for Disease Control and Prevention; and Terry Huang, Director, Obesity Research Strategic Core Eunice Kennedy Shriver, National Institute of Child Health and Human Development, NIH; and public witnesses.

TSA AIRPORT SECURITY OPERATING MANUAL BREACH

Committee on Homeland Security: Subcommittee on Transportation Security and Infrastructure Protection held a hearing entitled "Has the TSA Breach Jeopardized National Security? An Examination of What Happened and Why." Testimony was heard from Gale Rossasides, Acting Administrator, Transportation Security Administration, Department of Homeland Security.

LIVE SPORT BROADCAST INTERNET PIRACY

Committee on the Judiciary: Held a hearing on Piracy of Live Sports Broadcasting over the Internet. Testimony was heard from public witnesses.

AIRLINE BANKRUPTCY EMPLOYEES PROTECTION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on Protecting Employees in Airline Bankruptcies. Testimony was heard from public witnesses.

FEDERAL COURT PLEADING RESTORATION

Committee on the Judiciary: Subcommittee on Courts and Competition Policy held a hearing on H.R. 4115, Open Access to the Courts Act of 2009. Testimony was heard from Representative Nadler; Gregory G. Katsas, former Assistant Attorney General,

Civil Division, Department of Justice; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported the following bills: H.R. 725, Indian Arts and Crafts Amendments Act of 2009; H.R. 2288, amended, Endangered Fish Recovery Programs Improvement Act of 2009; H.R. 2476, amended, Ski Area Recreational Opportunity Enhancement Act of 2009; H.R. 3726, amended, Castle Nugent Historic Site Establishment Act of 2009; H.R. 3538, amended, Idaho Wilderness Water Resources Protection Act; and H.R. 2314, Native Hawaiian Government Reorganization Act of 2009.

GOVERNMENT AS A SHAREHOLDER

Committee on Oversight and Government Reform: Subcommittee on Domestic Policy, hearing entitled ''The U.S. Government as Dominant Shareholder: How Should the Taxpayers' Ownership Rights be Exercised?'' Testimony was heard from Orice Williams Brown, Director, Financial Markets and Community Investment, GAO; and public witnesses.

Hearings continue tomorrow.

NATIONAL ARCHIVES MISSION

Committee on Oversight and Government Reform: Subcommittee on Information Policy, Census, and National Archives held a hearing entitled ''History Museum or Records Access Agency? Defining and Fulfilling the Mission of the National Archives and Records Administration.'' Testimony was heard from David S. Ferriero, Archivist of the United States, National Archives and Records Administration; G. Wayne Clough, Secretary, Smithsonian Institution; James H. Billington, Librarian of Congress; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Rules: Granted, by record vote of 8 to 3, a rule providing for consideration of the Senate amendment to H.R. 3326, the Department of Defense Appropriations Act, 2010. The rule makes in order a motion by the chair of the Committee on Appropriations to concur in the Senate amendment with the House amendment printed in part A of the report of the Committee on Rules. The rule waives all points of order against consideration of the motion except clause 10 of rule XXI and provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The rule provides for consideration of H. J. Res. 64, making further continuing appropriations for fiscal year 2010, under a closed rule. The rule provides one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution except those arising under clause 9 or 10 of rule XXI and provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution and provides one motion to recommit with or without instructions.

The rule provides for consideration of H.R. 4314, to permit continued financing of Government operations, under a closed rule. The rule provides one hour of debate equally divided among and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI and provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill and provides one motion to recommit with or without instructions.

The rule provides for consideration of the Senate amendment to H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010. The rule makes in order a motion by the chair of the Committee on Appropriations to concur in the Senate amendment with the House amendment printed in part B of the report of the Committee on Rules. The rule waives all points of order against consideration of the motion except clause 10 of rule XXI and provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The rule provides that in the engrossment of the House amendment to the Senate amendment to H.R. 2847, the Clerk shall add the text of H.R. 2920, as passed by the House, as new matter at the end of the text proposed to be inserted by the House.

The rule provides that measures may be considered under suspension of the rules at any time during the remainder of the first session of the 111th Congress and provides that the Speaker shall consult with the Minority Leader on the designation of any matter for consideration under suspension of the rules pursuant to the rule.

The rule waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against any rules reported from the Rules Committee for the remainder of the first session of the 111th Congress.

The rule provides that the chair of the Committee on Appropriations may insert in the Congressional Record at any time during the remainder of the first session of the One Hundred Eleventh Congress such material as he may deem explanatory of the Senate amendments and the motions regarding H.R. 3326 and H.R. 2847.

The rule provides that on any legislative day of the second session of the One Hundred Eleventh Congress before January 12, 2010, the Speaker at any time may dispense with organizational or legislative business.

The rule provides that on any legislative day of the second session of the One Hundred Eleventh Congress before January 12, 2010, the Chair at any time may declare the House adjourned or declare the House adjourned pursuant to an applicable concurrent rule of adjournment.

The rule provides for pro forma sessions until the House adjourns sine die. Finally, the rule provides that on any legislative day of the first session of the One Hundred Eleventh Congress, the Speaker may at any time declare the House adjourned. Testimony was heard from Representative Dicks.

VA ACQUISITION DEFICIENCIES

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on Acquisition Deficiencies at the U.S. Department of Veterans Affairs. Testimony was heard from the following officials of the GAO: Kay L. Daly, Director, Financial Management and Assurance; and Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations; and the following officials of the Department of Veterans Affairs: Maureen T. Regan, Counselor to the Inspector General, Office of Inspector General; and Glenn Haggstrom, Executive Director, Office of Acquisition, Logistics and Construction; and public witnesses.

BRIEFING—HOT SPOTS

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterterrorism met in executive session to receive a briefing on Hot Spots. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1470)*

H.R. 4218, to amend titles II and XVI of the Social Security Act to prohibit retroactive payments to individuals during periods for which such individuals are prisoners, fugitive felons, or probation or parole violators. Signed on December 15, 2009. (Public Law 111–115)

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 17, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the nominations of Douglas B. Wilson, of Arizona, to be Assistant Secretary for Public Affairs, Malcolm Ross O'Neill, of Virginia, to be Assistant Secretary of the Army for Acquisition, Logistics and Technology, Mary Sally Matiella, of Arizona, to be Assistant Secretary of the Army for Financial Management and Comptroller, Paul Luis Oostburg Sanz, of Maryland, to be General Counsel of the Department of the Navy, and Jackalyne Pfannenstiel, of California, to be Assistant Secretary of the Navy for Installations and Environment, all of the Department of Defense, and Donald L. Cook, of Washington, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, Department of Energy, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider the nominations of Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System, Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration, Marisa Lago, of New York, to be Assistant Secretary of the Treasury, and Steven L. Jacques, of Kansas, to be Assistant Secretary of Housing and Urban Development, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: business meeting to consider S. 1562, to provide for a study and report on research on the United States Arctic Ocean and for other purposes, S. 1609, to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, S. 2852, to establish, within the National Oceanic and Atmospheric Administration, an integrated and comprehensive ocean, coastal, Great Lakes, and atmospheric research, prediction, and environmental information program to support renewable energy, S. 2856, to allow the United States-Canada Transboundary Resource Sharing Understanding to be considered an international agreement for the purposes of section 304(e)(4) of the Magnuson-Stevens Fishery Conservation and Management Act, S. 2859, to reauthorize the Coral Reef Conservation Act of 2000, S. 583, to provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities, H.R. 3819, to extend the commercial space transportation liability regime, an original bill entitled "Surface Transportation Board Reauthorization Act of 2009", and the nominations of Julie Simone Brill, of Vermont, and Edith

Ramirez, of California, both to be a Federal Trade Commissioner, David L. Strickland, of Georgia, to be Administrator of the National Highway Traffic Safety Administration, Department of Transportation, Nicole Yvette Lamb-Hale, of Michigan, to be Assistant Secretary of Commerce, and Michael A. Khouri, of Kentucky, to be a Federal Maritime Commissioner, and routine lists in the National Oceanic and Atmospheric Administration Commissioned Corps and Coast Guard, 10 a.m., SR–253.

Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine carbon monoxide poisoning, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1470, to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, S. 1719, to provide for the conveyance of certain parcels of land to the town of Alta, Utah, S. 1787, to reauthorize the Federal Land Transaction Facilitation Act, H.R. 762, to validate final patent number 27–2005–0081, and H.R. 934, to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands, 2:30 p.m., SD–366.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine prospects for our economic future and proposals to secure it, 10 a.m., SD–342.

Ad Hoc Subcommittee on Contracting Oversight, to hold hearings to examine an overview of Afghanistan contracts, 2 p.m., SD–342.

Committee on Indian Affairs: business meeting to consider pending calendar business; to be immediately followed by an oversight hearing to examine the Cobell v. Salazar settlement agreement, 2:15 p.m., SD–628.

Committee on the Judiciary: business meeting to consider S. 714, to establish the National Criminal Justice Commission, S. 1624, to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, S. 1765, to amend the Hate Crime Statistics Act to include crimes against the homeless, S. 678, to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, S. 1554, to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, S. 1789, to restore fairness to Federal cocaine sentencing, S. 1376, to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission to the United States, H.R. 1741, to require the Attorney General to make competitive grants to eligible State, tribal, and local governments to establish and maintain certain protection and witness assistance programs, and the nominations Barbara L. McQuade, to be United States Attorney for the Eastern District of Michigan, Christopher A. Crofts, to be United States Attorney for the District of Wyoming, Michael W. Cotter, to be United States Attorney for the District of Montana, Mark Anthony Martinez, to be United States Marshal for the District of Nebraska, and James L. Santelle, to be United States Attorney for the Eastern District of Wisconsin, all of the Department of Justice, and O. Rogeriee Thompson, of Rhode Island, to be United States Circuit Judge for the First Circuit, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: business meeting to consider S. 2826, to amend the Internal Revenue Code of 1986 to extend the renewable production credit for wind and open-loop biomass facilities, and S. 2869, Small Business Job Creation and Access to Capital Act of 2009, Time to be announced, SR–485.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Foreign Affairs, Subcommittee on Africa and Global Health, hearing on Elections in Africa: Progress Made, Challenges Remaining, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, oversight hearing on Recent Inspector General Reports Concerning the FBI, 10 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on Domestic Policy, to continue hearings entitled "The U.S. Government as Dominant Shareholder: How Should the Taxpayers' Ownership Rights be Exercised?" 10 a.m., 2154 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: to receive a briefing on Russia's Muslims, 2 p.m., 1539, Longworth Building.

Next Meeting of the SENATE

10 a.m., Thursday, December 17

Senate Chamber

Program for Thursday: Senate will continue consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 3326, Department of Defense Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

6 p.m., Saturday, December 19

House Chamber

Program for Saturday: To be announced.

Congressional Record

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