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111TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 111–105

MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009, AND FOR OTHER PURPOSES

MAY 12, 2009.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. OBEY, from the Committee on Appropriations, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 2346]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes.

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49–558

TITLE I—DEFENSE MATTERS

DEPARTMENT OF DEFENSE

OVERVIEW

COMMITTEE RECOMMENDATION

The recommended supplemental appropriations for the Department of Defense are intended for ongoing military and intelligence operations in support of Overseas Contingency Operations (OCO). The Committee's recommendations in this title are based on the budget request, formal hearings, and numerous briefings and are intended to address high-priority needs of the United States military and intelligence communities. In some cases, the Committee has reduced or eliminated funding for certain activities that cannot be obligated and/or executed in a timely fashion; or which involve new policy and program decisions that should be addressed in the regular authorization and appropriations bills for fiscal year 2010.

The Committee has also increased funding for a number of programs. Committee imperatives include additional resources for military pay requirements including compensation for Stop-Loss; enhancing research into the treatment of traumatic brain injury and psychological health issues that have arisen in the conflicts in Afghanistan and Iraq; providing required transportation assets to include logistics and support equipment essential to projecting United States military power; and providing for equipment lost in combat operations.

Overall, the Committee's recommendations in title I total $81,299,388,000 and are structured to maximize support to our men and women in uniform. They meet important force protection, equipment and personnel needs, while fully funding the operational requirements to conduct OCO. A summary of the recommendations is provided in the following pages.

Account	Committee recommendation
Military Personnel	17,943,914,000
Operation and Maintenance	33,788,567,000
Procurement	23,045,559,000
Research, Development, Test and Evaluation	721,930,000
Revolving and Management Funds	846,726,000
Other Department of Defense Programs	7,403,792,000

TRANSFER AUTHORITY

The Committee recommendation does not increase General Transfer Authority (GTA) as the need for additional GTA is unclear at this time. The budget request proposed an additional $1,500,000,000 of GTA, for a total in fiscal year 2009 of $5,600,000,000. The maximum amount of GTA that has been used in a single year by the Department over the last four years is $3,448,000,000 and therefore $5,600,000,000 appears to be excess to historical need. Additionally, the Department requested $4,000,000,000 of transfer authority for the funds provided in this title. Again, based on historic requirements, the Committee reduces this amount to a total of $2,000,000,000.

The Committee is concerned that the Department has become overly reliant on reprogrammings and transfer authority. However, the Committee recognizes that the Department of Defense may have to manage additional military personnel costs during the remainder of this fiscal year. Accordingly, the Committee will reevaluate the possibility of providing additional GTA in conference with the Senate to help address emerging needs.

CLASSIFIED ANNEX

The Committee's recommendations for intelligence activities are published in a separate and detailed 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 this Act.

REPORTING REQUIREMENTS

The Committee directs the Secretary of Defense to provide a report to the congressional defense committees within 30 days of 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. The Committee directs that these reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this title by program and subactivity group for the continuation of military operations in Iraq and Afghanistan and a listing of equipment procured using funds provided in this title. The Committee expects that, in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriation accounts for purposes other than those specified in this report. The Committee directs the Department of Defense to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this title.

Additionally, the Committee directs that the Department 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. The Department is encouraged to do supplementary reporting via the Contingency Operations Status of Funds report, but shall not terminate or replace the Cost of War Execution report.

Further, the Committee directs that the reporting requirements of section 9010 of Public Law 109–289, the Department of Defense Appropriations Act, 2007, regarding military operations and stability in Iraq shall apply to the funds appropriated in this Act. Further, section 609 of division L of Public Law 110–161 shall also apply to the funds appropriated in this Act.

IRAQ AND AFGHANISTAN SECURITY FORCES FUNDS

The Committee wishes to clarify that, pursuant to section 1512 and section 1513 of the National Defense Authorization Act of Fiscal Year 2008 (Public Law 110–181), the Secretary of Defense shall, not later than 30 days after the end of each fiscal quarter, submit

to the congressional defense committees, a report summarizing the details of any obligation or transfer of funds from the Iraq Security Forces Fund and the Afghanistan Security Forces Fund during that fiscal quarter.

EQUIPMENT AND READINESS

The Committee has increased funding above the budget request for the assets required to project United States military power including an additional $2,245,200,000 for C–17 aircraft and an additional $904,200,000 for C–130J aircraft variants. The Committee has also provided for additional helicopters including $175,000,000 above the request for H–1 aircraft to replace combat losses and $90,000,000 for additional CH–47 aircraft. The Committee recommendation funds additional equipment to project combat power including $432,700,000 for additional AH–64 Apache helicopter modifications and $243,600,000 for Bradley Fighting Vehicles. The Committee has provided $190,000,000 above the budget request for additional MQ–9 Reaper and MQ–1 Predator unmanned aerial vehicles. In addition, funding is provided for additional force protection requirements providing $2,150,000,000 above the budget request to purchase additional lightweight Mine Resistant Ambush Protected Vehicles for deployment to Afghanistan.

DEFENSE HEALTH PROGRAM OVERVIEW

The Committee recommends an appropriation of $1,097,297,000 for the Defense Health Program. The funding contained in this title will provide medical and dental services to active duty forces, mobilized reserve components, and their family members, as they support Operation Iraqi Freedom and Operation Enduring Freedom. The funding also provides for costs associated with the treatment of combat-related injuries.

The Committee recommendation provides $168,000,000 for research and development of combat-related medical care, treatment for psychological health and traumatic brain injury and combat casualty care including orthopedic research and regenerative medicine.

YELLOW RIBBON

The Committee recommendation includes $238,479,000 for the Yellow Ribbon Reintegration Program, which will provide information, services, referral and proactive outreach programs to reserve component servicemembers and their families throughout all phases of the deployment cycle.

MILITARY PERSONNEL

The Committee recommends an additional appropriation of $17,943,914,000 for Military Personnel, as shown below:

[In thousands of dollars]

	Budget request	Committee recommended
Military Personnel, Army		
BA–1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	1,211,678	1,211,678

[In thousands of dollars]

	Budget request	Committee recommended
RETIRED PAY ACCRUAL	274,287	274,287
BASIC ALLOWANCE FOR HOUSING	302,627	302,627
BASIC ALLOWANCE FOR SUBSISTENCE	43,987	43,987
INCENTIVE PAYS	13,188	13,188
SPECIAL PAYS	263,375	247,000
Hardship Duty Pay—Deferred from Base to OCO		7,560
Hostile Fire Pay—Deferred from Base to OCO		4,744
Retention Bonus—Excess to Requirement		−28,679
ALLOWANCES	68,778	68,778
SEPARATION PAY	22,612	22,612
SOCIAL SECURITY TAX	92,693	92,693
TOTAL BA–1	2,293,225	2,276,850
BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	2,478,940	2,478,940
RETIRED PAY ACCRUAL	552,332	552,332
BASIC ALLOWANCE FOR HOUSING	1,070,269	1,070,269
INCENTIVE PAYS	26,865	26,865
SPECIAL PAYS	1,213,374	928,784
Hardship Duty Pay—Deferred from Base to OCO		45,000
Hostile Fire Pay—Deferred from Base to OCO		16,277
Enlistment Bonus—Excess to Requirement		−36,200
Enlistment Bonus—Anniversary Payments		−81,700
Enlistment Bonus—Residual Payments		−75,300
Reenlistment Bonus—Excess to Requirement		−152,667
ALLOWANCES	301,146	301,146
SEPARATION PAY	89,259	89,259
SOCIAL SECURITY TAX	189,823	189,823
TOTAL BA–2	5,922,008	5,637,418
BA–4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	520,905	520,905
SUBSISTENCE-IN-KIND	986,145	986,145
TOTAL BA–4	1,507,050	1,507,050
BA–5: PERMANENT CHANGE OF STATION TRAVEL		
OPERATIONAL TRAVEL	82,714	82,714
ROTATIONAL TRAVEL	68,271	68,271
TOTAL BA–5	150,985	150,985
BA–6: OTHER MILITARY PERSONNEL COSTS		
INTEREST IN UNIFORMED SERVICE SAVINGS	21,780	21,780
DEATH GRATUITIES	71,000	71,000
UNEMPLOYMENT BENEFITS	65,334	65,334
RESERVE INCOME REPLACEMENT	8,200	8,200
SGLI EXTRA HAZARD PAYMENTS	155,524	155,524
TOTAL BA–6	321,838	321,838
UNDISTRIBUTED ADJUSTMENT (year of execution rate changes)		1,030,500
Total Military Personnel, Army	10,195,106	10,924,641
Military Personnel, Navy		
BA–1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	263,985	263,985
RETIRED PAY ACCRUAL	67,109	67,109
BASIC ALLOWANCE FOR HOUSING	87,995	87,995
BASIC ALLOWANCE FOR SUBSISTENCE	8,896	8,896
INCENTIVE PAYS	1,110	1,110
SPECIAL PAYS	25,690	29,335
Hardship Duty Pay—Deferred from Base to OCO		1,463
Imminent Danger Pay—Deferred from Base to OCO		2,182
ALLOWANCES	15,251	15,251
SEPARATION PAY	6	6
SOCIAL SECURITY TAX	20,195	20,195
TOTAL BA–1	490,237	493,882
BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	310,721	310,721

[In thousands of dollars]

	Budget request	Committee recommended
RETIRED PAY ACCRUAL	79,966	79,966
BASIC ALLOWANCE FOR HOUSING	158,257	158,257
INCENTIVE PAYS	539	539
SPECIAL PAYS	92,732	100,132
Hardship Duty Pay-Deferred from Base to OCO		7,400
ALLOWANCES	29,212	29,212
SEPARATION PAY	3,578	3,578
SOCIAL SECURITY TAX	23,770	23,770
TOTAL BA–2	698,775	706,175
BA–4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	35,127	35,127
SUBSISTENCE-IN-KIND	12,766	12,766
TOTAL BA–4	47,893	47,893
BA–5: PERMANENT CHANGE OF STATION		
ACCESSION TRAVEL	4,855	4,855
OPERATIONAL TRAVEL	26,222	26,222
ROTATIONAL TRAVEL	28,096	28,096
SEPARATION TRAVEL	2,919	2,919
TOTAL BA–5	62,092	62,092
BA–6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	2,600	2,600
UNEMPLOYMENT BENEFITS	18,244	18,244
RESERVE INCOME REPLACEMENT	50	50
SGLI EXTRA HAZARD PAYMENTS	34,891	34,891
TOTAL BA–6	55,785	55,785
UNDISTRIBUTED ADJUSTMENT (year of execution rate changes)		351,000
Total Military Personnel, Navy	1,354,782	1,716,827
Military Personnel, Marine Corps		
BA–1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	97,044	97,044
RETIRED PAY ACCRUAL	22,989	22,989
BASIC ALLOWANCE FOR HOUSING	32,756	32,756
BASIC ALLOWANCE FOR SUBSISTENCE	3,530	3,530
SPECIAL PAYS	49,906	50,175
Hardship Duty Pay-Deferred from Base to OCO		269
ALLOWANCES	8,445	8,445
SOCIAL SECURITY TAX	7,423	7,423
TOTAL BA–1	222,093	222,362
BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	482,113	482,113
RETIRED PAY ACCRUAL	121,588	121,588
BASIC ALLOWANCE FOR HOUSING	123,749	123,749
SPECIAL PAYS	210,228	212,830
Hardship Duty Pay-Deferred from Base to OCO		2,602
ALLOWANCES	46,656	46,656
SEPARATION PAY	2,953	2,953
SOCIAL SECURITY TAX	36,758	36,758
TOTAL BA–2	1,024,045	1,026,647
BA–4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	54,056	54,056
TOTAL BA–4	54,056	54,056
BA–5: PERMANENT CHANGE OF STATION		
ACCESSION TRAVEL	4,010	4,010
OPERATIONAL TRAVEL	51,356	51,356
TOTAL BA–5	55,366	55,366
BA–6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	3,400	3,400
UNEMPLOYMENT BENEFITS	24,500	24,500
SGLI EXTRA HAZARD PAYMENTS	36,519	36,519
TOTAL BA–6	64,419	64,419

[In thousands of dollars]

	Budget request	Committee recommended
UNDISTRIBUTED ADJUSTMENT (year of execution rate changes)		155,000
Total Military Personnel, Marine Corps	1,419,979	1,577,850
Military Personnel, Air Force		
BA–1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	190,254	190,254
RETIRED PAY ACCRUAL	40,144	40,144
BASIC ALLOWANCE FOR HOUSING	59,781	59,781
BASIC ALLOWANCE FOR SUBSISTENCE	7,514	7,514
SPECIAL PAYS	15,425	23,636
Hostile Fire Pay-Deferred from Base to OCO		6,670
Hardship Duty Pay-Deferred from Base to OCO		1,541
ALLOWANCES	6,831	6,831
SOCIAL SECURITY TAX	14,555	14,555
TOTAL BA–1	334,504	342,715
BA–2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	480,101	480,101
RETIRED PAY ACCRUAL	101,302	101,302
BASIC ALLOWANCE FOR HOUSING	175,182	175,182
SPECIAL PAYS	53,841	93,284
Hostile Fire Pay-Deferred from Base to OCO		31,855
Hardship Duty Pay-Deferred from Base to OCO		7,588
ALLOWANCES	22,457	22,457
SEPARATION PAY	4,818	4,818
SOCIAL SECURITY TAX	36,728	36,728
TOTAL BA–2	874,429	913,872
BA–4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	39,590	39,590
SUBSISTENCE-IN-KIND	69,864	69,864
TOTAL BA–4	109,454	109,454
BA–5: PERMANENT CHANGE OF STATION		
OPERATIONAL TRAVEL	5,790	5,790
TOTAL BA–5	5,790	5,790
BA–6: OTHER MILITARY PERSONNEL COSTS		
UNEMPLOYMENT BENEFITS	16,573	16,573
SGLI EXTRA HAZARD PAYMENTS	49,804	49,804
TOTAL BA–6	66,377	66,377
UNDISTRIBUTED ADJUSTMENT (year of execution rate changes)		345,000
Total Military Personnel, Air Force	1,390,554	1,783,208
Reserve Personnel, Army		
BA–1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	116,901	116,901
SPECIAL TRAINING	167,254	167,254
TOTAL BA–1	284,155	284,155
UNDISTRIBUTED ADJUSTMENT (year of execution rate changes)		97,000
Total Reserve Personnel, Army	284,155	381,155
Reserve Personnel, Navy		
BA–1: UNIT AND INDIVIDUAL TRAINING		
SCHOOL TRAINING	5,166	5,166
SPECIAL TRAINING	33,805	33,805
ADMINISTRATION AND SUPPORT	507	507
TOTAL BA–1	39,478	39,478
Total Reserve Personnel, Navy	39,478	39,478

[In thousands of dollars]

	Budget request	Committee recommended
Reserve Personnel, Marine Corps		
BA–1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	8,662	8,662
SPECIAL TRAINING	20,517	20,517
TOTAL BA–1	29,179	29,179
Total Reserve Personnel, Marine Corps	29,179	29,179
Reserve Personnel, Air Force		
BA–1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	16,943	16,943
TOTAL BA–1	16,943	16,943
Total Reserve Personnel, Air Force	16,943	16,943
National Guard Personnel, Army		
BA–1: UNIT AND INDIVIDUAL TRAINING		
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	538,586	487,726
Grow the Army		−50,860
SPECIAL TRAINING	330,947	330,947
ADMINISTRATION AND SUPPORT	569,800	116,600
Enlistment Bonus—Excess to Requirement		−88,600
Enlistment Bonus—Anniversary Payments		−123,900
Enlistment Bonus—Residual Payments		−240,700
TOTAL BA–1	1,439,333	935,273
UNDISTRIBUTED ADJUSTMENT (year of execution rate changes)		438,000
Total National Guard Personnel, Army	1,439,333	1,373,273
National Guard Personnel, Air Force		
BA–1: UNIT AND INDIVIDUAL TRAINING		
SPECIAL TRAINING	17,860	17,860
TOTAL BA–1	17,860	17,860
UNDISTRIBUTED ADJUSTMENT (year of execution rate changes)		83,500
Total National Guard Personnel, Air Force	17,860	101,360

TRANSFER OF FUNDS TO MILITARY PERSONNEL

The Committee recommendation includes a general provision, section 10013, which provides for the transfer of $150,600,000 from multiple Army Procurement accounts in the Department of Defense Appropriations Act, 2009 (Public Law 110–329, division C), and the Other Procurement, Army account in the Department of Defense Appropriations Act, 2008 (Public Law 110–116, division A) to the Military Personnel, Army; Reserve Personnel, Army; and National Guard Personnel, Army accounts. The transfer is required to meet identified shortfalls due to personnel over-strength and rate changes.

ARMY AND ARMY NATIONAL GUARD BONUSES

Of the $1,161,912,000 requested in the fiscal year 2009 Overseas Contingency Operations Supplemental for recruiting and retention activities of the active duty Army and Army National Guard, the Committee provides only $334,146,000: $28,679,000 to support the retention of active duty Army officers, $188,867,000 to support the

recruiting and retention of active duty Army enlisted personnel, and $116,600,000 to support the recruiting and retention of Army National Guard personnel. The Committee recommendation eliminates all residual and anniversary payments, because the Committee views these items as more appropriately funded in the base bill. Furthermore, the Committee recommendation reduces the amount available for new bonuses to reflect the fact that the active Army and Army National Guard have reduced their overall accession missions from 80,000 to 66,500 personnel and 65,000 to 56,000 personnel, respectively.

OPERATION AND MAINTENANCE

The Committee recommends an additional appropriation of $33,788,567,000 for Operation and Maintenance accounts, as shown below:

[In thousands of dollars]

0–1		Budget request	Committee recommended
	Operation and Maintenance, Army		
135	ADDITIONAL ACTIVITIES	13,024,499	12,740,961
	Hire Iraqis to perform contract services		−111,121
	Hire Iraqis to perform LOGCAP		−138,296
	Subsistence costs		−34,121
136	COMMANDER'S EMERGENCY RESPONSE PROGRAM	453,000	453,000
	TOTAL BA–1	13,477,499	13,193,961
421	SERVICEWIDE TRANSPORTATION	50,197	246,282
	Increased cost of route to Afghanistan		196,085
9999	OTHER PROGRAMS	591,705	584,460
	Classified adjustment		−7,245
	TOTAL BA–4	641,902	830,742
	Total Operation and Maintenance, Army	14,119,401	14,024,703
	Operation and Maintenance, Navy		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	574,597	562,720
	Hire Iraqis to perform contract services		−1,277
	S–3 ISR Detachment		−10,600
1A2A	FLEET AIR TRAINING	9,194	9,194
1A3A	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	3,744	3,744
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	6,992	6,992
1A4N	AIR SYSTEMS SUPPORT	16,722	14,157
	Hire Iraqis to perform contract services		−2,565
1A5A	AIRCRAFT DEPOT MAINTENANCE	53,317	53,317
1B1B	MISSION AND OTHER SHIP OPERATIONS	224,172	224,172
1B2B	SHIP OPERATIONS SUPPORT & TRAINING	13,140	13,140
1B4B	SHIP DEPOT MAINTENANCE	155,123	155,123
1B5B	SHIP DEPOT OPERATIONS SUPPORT	125	125
1C1C	COMBAT COMMUNICATIONS	7,196	7,196
1C2C	ELECTRONIC WARFARE	57,523	57,523
1C4C	WARFARE TACTICS	5,661	5,661
1C5C	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	5,953	5,953
1C6C	COMBAT SUPPORT FORCES	638,709	633,769
	Hire Iraqis to perform contract services		−4,940
1C7C	EQUIPMENT MAINTENANCE	108	108
1CCH	COMBATANT COMMANDERS CORE OPERATIONS	1,278	1,278
1CCM	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	13,751	13,751
1D3D	IN-SERVICE WEAPONS SYSTEMS SUPPORT	23,995	23,995
1D4D	WEAPONS MAINTENANCE	64,188	64,188
1D7D	OTHER WEAPON SYSTEMS SUPPORT	7,738	7,738
BSM1	SUSTAINMENT, RESTORATION AND MODERNIZATION	12,887	12,887
BSS1	BASE OPERATING SUPPORT	148,102	148,102

[In thousands of dollars]

0–1		Budget request	Committee recommended
	TOTAL BA–1	2,044,215	2,024,833
2A1F	SHIP PREPOSITIONING AND SURGE	9,618	9,618
2C1H	FLEET HOSPITAL PROGRAM	1,514	1,514
2C3H	COAST GUARD SUPPORT	131,547	131,547
	TOTAL BA–2	142,679	142,679
3B1K	SPECIALIZED SKILL TRAINING	36,384	36,384
	TOTAL BA–3	36,384	36,384
4A1M	ADMINISTRATION	1,257	1,257
4A2M	EXTERNAL RELATIONS	162	162
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	2,220	2,220
4A5M	OTHER PERSONNEL SUPPORT	851	851
4A6M	SERVICEWIDE COMMUNICATIONS	7,546	7,546
4B1N	SERVICEWIDE TRANSPORTATION	73,762	73,762
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	11,213	11,213
4B7N	SPACE AND ELECTRONIC WARFARE SYSTEMS	1,057	1,057
4C1P	NAVAL INVESTIGATIVE SERVICE	25,768	22,993
	CNO Nodal analysis		−2,775
9999	OTHER PROGRAMS	43,002	43,002
	TOTAL BA–4	166,838	164,063
	Total Operation and Maintenance, Navy	2,390,116	2,367,959
	Operation and Maintenance, Marine Corps		
1A1A	OPERATIONAL FORCES	731,707	712,646
	Hire Iraqis to perform contract services		−3,995
	Intelligence Equipment Readiness		−1,941
	Angel Fire		−13,125
1A2A	FIELD LOGISTICS	120,593	120,593
1A3A	DEPOT MAINTENANCE	108,600	108,600
1B1B	MARITIME PREPOSITIONING	5,942	5,942
	TOTAL BA–1	966,842	947,781
3B4D	TRAINING SUPPORT	60,000	60,000
	TOTAL BA–3	60,000	60,000
4A3G	SERVICEWIDE TRANSPORTATION	64,000	76,300
	Increased cost of route to Afghanistan		12,300
	TOTAL BA–4	64,000	76,300
	Total Operation and Maintenance, Marine Corps	1,090,842	1,084,081
	Operation and Maintenance, Air Force		
011A	PRIMARY COMBAT FORCES	1,091,423	1,091,423
011B	PRIMARY COMBAT WEAPONS	35,340	35,340
011C	COMBAT ENHANCEMENT FORCES	442,514	442,514
011D	AIR OPERATIONS TRAINING	41,984	41,984
011E	COMBAT COMMUNICATIONS	567,503	551,503
	Air Force DCGS		−16,000
011M	DEPOT MAINTENANCE	457,219	457,219
011Z	BASE SUPPORT	633,119	583,091
	Unjustified growth		−50,028
012A	GLOBAL C3I AND EARLY WARNING	116,948	116,948
012B	NAVIGATION/WEATHER SUPPORT	9,784	9,784
012C	OTHER COMBAT OPS SPT PROGRAMS	252,481	252,481
012E	MANAGEMENT/OPERATIONAL HQ	133,718	130,149
	Hire Iraqis to perform contract services		−3,569
012F	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	881	881
013A	LAUNCH FACILITIES	5,700	5,700
013B	LAUNCH VEHICLES	40	40
013C	SPACE CONTROL SYSTEMS	4,407	4,407
013D	SATELLITE SYSTEMS	1,602	1,602
013E	OTHER SPACE OPERATIONS	24,502	24,502
013R	SUSTAINMENT, RESTORATION AND MODERNIZATION	4,989	4,989
013Z	BASE SUPPORT	14,509	14,509

[In thousands of dollars]

0–1		Budget request	Committee recommended
	TOTAL BA–1	3,838,663	3,769,066
021A	AIRLIFT OPERATIONS	1,514,035	1,514,035
021B	AIRLIFT OPERATIONS C3I	37,755	37,755
021D	MOBILIZATION PREPAREDNESS	115,681	115,681
021M	DEPOT MAINTENANCE	65,329	65,329
021R	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,164	1,164
021Z	BASE SUPPORT	5,504	5,504
	TOTAL BA–2	1,739,468	1,739,468
031B	RECRUIT TRAINING	2,748	2,748
031Z	BASE SUPPORT	683	683
032A	SPECIALIZED SKILL TRAINING	1,036	1,036
032B	FLIGHT TRAINING	141	141
032C	PROFESSIONAL DEVELOPMENT EDUCATION	1,155	1,155
032D	TRAINING SUPPORT	660	660
032R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	106	106
032Z	BASE SUPPORT	5,164	5,164
	TOTAL BA–3	11,693	11,693
041A	LOGISTICS OPERATIONS	226,025	226,025
041B	TECHNICAL SUPPORT ACTIVITIES	18,958	18,958
041C	SERVICEWIDE TRANSPORTATION	133,824	150,655
	Increased cost of route to Afghanistan		16,831
041Z	BASE SUPPORT	23,100	23,100
042A	ADMINISTRATION	4,532	4,532
042B	SERVICEWIDE COMMUNICATIONS	51,912	51,912
042C	PERSONNEL PROGRAM	775	775
042G	OTHER SERVICEWIDE ACTIVITIES	75,482	75,482
042H	OTHER PERSONNEL SUPPORT	2,630	2,630
042Z	BASE SUPPORT	7,890	7,890
043A	SECURITY PROGRAMS	152,283	127,747
	Classified adjustment		−24,536
044A	INTERNATIONAL SUPPORT	6,796	6,796
	TOTAL BA–4	704,207	696,502
	Total Operation and Maintenance, Air Force	6,294,031	6,216,729
	Operation and Maintenance, Defense-Wide		
10	JOINT CHIEFS OF STAFF	25,000	10,000
	Combatant Commander's Initiative Fund Program Reduction		−15,000
XX	SPECIAL OPERATIONS COMMAND	1,448,401	1,448,401
170	DEFENSE MEDIA ACTIVITY	11,185	11,185
100	DEFENSE CONTRACT AUDIT AGENCY	7,600	7,600
220	DEFENSE CONTRACT MANAGEMENT AGENCY	15,000	15,000
120	DEFENSE HUMAN RESOURCES ACTIVITY	7,300	7,300
130	DEFENSE INFORMATION SYSTEMS AGENCY	118,705	118,705
150	DEFENSE LEGAL SERVICES AGENCY	82,626	58,600
	Office of Military Commission		−24,026
210	DEPARTMENT OF DEFENSE EDUCATION AGENCY	682,740	807,840
	Family Advocacy Program		125,100
230	DEFENSE SECURITY COOPERATION AGENCY	1,430,000	1,040,000
	Coalition Support Funds		−240,000
	Lift and Sustain		−150,000
XX	DEFENSE THREAT REDUCTION AGENCY	15,200	15,200
270	OFFICE OF THE SECRETARY OF DEFENSE	96,472	96,472
XX	NATIONAL GUARD BORDER SECURITY	350,000	350,000
XX	OTHER PROGRAMS	1,377,254	1,367,398
	Program adjustment		−9,856
	Total Operation and Maintenance, Defense-Wide	5,667,483	5,353,701
	Operation and Maintenance, Army Reserve		
113	ECHELONS ABOVE BRIGADE	7,831	7,831
121	FORCE READINESS OPERATIONS SUPPORT	27,200	13,500

[In thousands of dollars]

0–1		Budget request	Committee recommended
	Tuition assistance		−13,700
122	LAND FORCES SYSTEMS READINESS	29,600	29,600
131	BASE OPERATIONS SUPPORT	46,286	46,286
434	RECRUITING AND ADVERTISING	4,100	4,100
	Total Operation and Maintenance, Army Reserve	115,017	101,317
	Operation and Maintenance, Navy Reserve		
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	9,769	9,769
1A3A	INTERMEDIATE MAINTENANCE	21	21
1A5A	AIRCRAFT DEPOT MAINTENANCE	2,329	2,329
1B1B	MISSION AND OTHER SHIP OPERATIONS	1,251	0
	Unjustified fuel cost increase		−1,251
1C1C	COMBAT COMMUNICATIONS	1,460	1,460
1C6C	COMBAT SUPPORT FORCES	8,830	8,830
BSSR	BASE OPERATING SUPPORT	1,909	1,909
	Total Operation and Maintenance, Navy Reserve	25,569	24,318
	Operation and Maintenance, Marine Corps Reserve		
1A1A	OPERATING FORCES	30,775	30,775
	Total Operation and Maintenance, Marine Corps Reserve	30,775	30,775
	Operation and Maintenance, Air Force Reserve		
011A	PRIMARY COMBAT FORCES	7,424	7,424
011G	MISSION SUPPORT OPERATIONS	27,175	27,175
	Total Operation and Maintenance, Air Force Reserve	34,599	34,599
	Operation and Maintenance, Army National Guard		
111	MANEUVER UNITS	48,172	48,172
116	AVIATION ASSETS	58,367	58,367
131	BASE OPERATIONS SUPPORT	22,000	22,000
135	ADDITIONAL ACTIVITIES	74,860	49,907
	Unjustified growth for acceleration of Grow the Army		−24,953
	Total Operation and Maintenance, Army National Guard	203,399	178,446
	Iraq Freedom Fund		
	IRAQ FREEDOM FUND	415,000	365,000
	Guantanamo Bay		−50,000
	Total Iraq Freedom Fund	415,000	365,000
	Afghanistan Security Forces Fund		
	AFGHANISTAN SECURITY FORCES FUND	3,606,939	3,606,939
	Pakistan Counterinsurgency Fund		
	PAKISTAN COUNTERINSURGENCY FUND	400,000	400,000
	Total Pakistan Counterinsurgency Fund	400,000	400,000

CONTRACT SERVICES IN IRAQ AND AFGHANISTAN

The Committee is concerned with the growth of service contracts to support the operations in Iraq and Afghanistan, as well as the Department's inability to provide details on service contracts as requested in past years. According to the Department's monthly report on the cost of contingency operations, the obligations for miscellaneous service contracts increased 276 percent between fiscal year 2007 and fiscal year 2008; from $2,500,000,000 to $9,400,000,000. In addition, the Department of Defense maintained level funding of $5,400,000,000 for the Army-managed Logistics Civil Augmentation Program (LOGCAP). The Department of Defense has indicated a need for approximately $25,000,000,000 of operation and maintenance funding for contracted services in support of Operation Iraqi Freedom and Operation Enduring Freedom during fiscal year 2009. This includes $10,800,000,000 for miscellaneous contract services and $6,300,000,000 for the LOGCAP contract.

In January 2009, the Commanding General, Multi-National Force—Iraq, issued a memorandum with the subject line: "Increased Employment of Iraqi Citizens through Command Contracts". The memorandum directed employment of Iraqis rather than U.S. or third country nationals by awarding contracts for services in Iraq to Iraqis. The memo stated "employment of Iraqis not only saves money but it also strengthens the Iraqi economy and helps eliminate the root causes of the insurgency—poverty and lack of economic opportunity". The memorandum set a goal of ". . . decreasing the overall number of contractors by five percent each quarter while also increasing the percentage of Iraqis employed." The memorandum further stated ". . . I direct commanders at all levels to make cost reduction and employment of Iraqis a priority." However, the supplemental budget request does not reflect this direction. The Committee recommends adjustments totaling $299,883,000 to reflect the reduced cost of replacing five percent of U.S. and third country nationals with Iraqis in the second and third quarters of fiscal year 2009 for the portion of miscellaneous service contracts, LOGCAP contracts and contractor subsistence costs that support Operation Iraqi Freedom. The Committee further recommends that the Department adopt a similar policy for the employment of Afghani nationals rather than U.S. or third country nationals for services in Afghanistan.

REPORTING OF CONTRACTORS

The Committee remains concerned about the continued lack of transparency and accountability with regard to contractors serving in both theaters of operation (Iraq and Afghanistan). The Department of Defense has deployed and employed hundreds of thousands of contractors in Iraq, Afghanistan and other United States Central Command (USCENTCOM) areas of responsibility (AOR). Over the past several years the number of contractors has steadily increased, but with the anticipated drawdown from Iraq, USCENTCOM plans to reduce the overall number of contractors in Iraq by five percent each quarter while also increasing the percentage of Iraqis employed. However, the fiscal year 2009 supplemental budget request does not reflect funding of these plans nor does it

provide an explanation as to how USCENTCOM will execute these plans.

The Committee directs that upon enactment of this Act, the Secretary of Defense shall commence monthly reporting to the Committees on Appropriations of both the House of Representatives and the Senate on the number of contractors in the USCENTCOM AOR that shall include the following information:

—The number of U.S. citizen contractors in Iraq

—The number of third country national contractors in Iraq

—The number of local/host country national contractors in Iraq

—The number of U.S. citizen contractors in Afghanistan

—The number of third country national contractors in Afghanistan

—The number of local/host country national contractors in Afghanistan

—The number of U.S. citizen contractors in other USCENTCOM locations

—The number of third country national contractors in other USCENTCOM locations

—The number of local/host country national contractors in other USCENTCOM locations

—How USCENTCOM intends to achieve the stated goal of a five percent reduction in the number of contractors in Iraq each quarter

This report shall also include a percentage determination of the type of contract service provided as follows:

—construction

—base support

—translators or interpreters

—transportation

—security

—communications support

—other

TRANSPORTATION COSTS INTO AFGHANISTAN

Transporting supplies and equipment into Afghanistan using supply routes through Pakistan has become more dangerous and congested. On April 3, 2009, the Commander, United States Central Command, announced a new northern overland supply route into Afghanistan. Approximately 43 percent of the overland transportation will come through the new supply route, and the remainder of ground transported material will continue to be shipped through Pakistan. The benefits of the new route include overall safety and stress relief on the northern Pakistani route. However, the new route is significantly more expensive. When the new supply route was announced, the supplemental request was complete; therefore, the cost of the new route was not reflected in the request. The Committee recommends adjustments totaling $225,200,000 to reflect the increased cost of transportation along the new supply route.

COMMANDER'S EMERGENCY RESPONSE PROGRAM

The Committee is disappointed that poor management and oversight continue to permit waste and abuse of the Commander's

Emergency Response Program (CERP). A draft report by the Government Accountability Office (GAO) highlights a concern about CERP raised by the Committee in 2008: the inadequate training provided to combat personnel who execute and oversee this program. The GAO found that key CERP personnel at headquarters, units and provincial reconstruction teams in Afghanistan receive little or no training prior to deployment. Also, most personnel responsible for awarding and overseeing CERP contracts valued at $500,000 or less received little or no training prior to deployment and, once deployed, received a one hour briefing, which did not provide detailed information on the individuals' duties. Therefore, the Committee directs the Secretary of Defense to transmit to the congressional defense committees, not later than 90 days after enactment of this Act, a report on training provided for members of the United States Armed Forces deploying to Afghanistan and Iraq on the use of funds under the Commander's Emergency Response Program. The report shall include the following: a description of training on the process of choosing projects to be carried out under CERP currently provided to members of the Armed Forces, both pre-deployment and in-theater; a description of training on carrying out required follow-up assessments or quality control measures for in-progress or completed projects carried out under CERP; and measures to improve training or to provide additional information for personnel deploying to Afghanistan, or already in Afghanistan, to assist them in planning, carrying out, inspecting, or carrying out follow-up assessments of CERP projects.

The Committee is also concerned that, while the U.S. troop presence in Iraq is no longer open-ended, it is unclear whether the Department will similarly curtail CERP funding. Therefore, the Committee directs the Secretary of Defense, not later than 45 days after enactment of this Act, to transmit to the congressional defense committees a timeline for reducing and eventually phasing out the Commander's Emergency Response Program in Iraq.

GUANTANAMO BAY DETAINEES

The Committee has not provided $50,000,000 requested to support implementation of a future decision by the Administration on the disposition of individuals currently detained at the Guantanamo Bay Naval Base. At this time, the Department of Defense is awaiting a decision on the future of the detention facility at Guantanamo Bay Naval Base, which is currently under review by an administration task force. Once a decision has been made, the Committee expects the Department to report on its plan for implementation and submit a reprogramming request for any funds it requires to relocate detainees from the Guantanamo Bay Naval Base, to relocate military and support forces associated with detainee operations, and to close detainee facilities.

PAKISTAN COUNTERINSURGENCY FUND

The Committee recommendation includes $400,000,000, as requested by the Administration, for a counterinsurgency fund under the authority of the Secretary of Defense, with the concurrence of the Secretary of State. The Committee is providing the initial funding for counterinsurgency activities for Pakistani security forces within the Department of Defense appropriations in fiscal year

2009 and provides an additional $400,000,000 in the Department of State appropriations. The Committee has taken this action in response to the request of the Secretary of Defense in his April 30, 2009 testimony before the Senate Appropriations Committee. The Committee intends that the authority provided in the account to the Secretary of Defense shall expire concurrent with the expiration of funds and such authority shall be assumed by the Secretary of State in subsequent fiscal years.

FAMILY ADVOCACY PROGRAM

The Committee recommendation includes a total of $739,582,000 for family advocacy programs to provide counseling and family assistance including child psychologists, and other intervention efforts. The Committee recommends $125,100,000 above the request in order to enhance the activities of the Family Advocacy Program and provide for children and families managing the difficult challenges of military service. The funding provided is for, but not limited to, child care, counseling, spouse certification and licensure, and Joint Family Assistance Centers. Funding is also available for the Warrior Family Community Partnership to provide assistance to all soldiers and families. The Committee understands and is concerned about the growing need for family members to have access to professional counseling and services to help alleviate the mental stresses associated with deployments. The activities provide programs, products and services to help mitigate the disruption and stress in the military family when a servicemember is deployed, killed or seriously wounded.

COMBAT UNIFORMS

In the course of visits to military installations throughout CONUS and overseas, the Committee has conducted an extensive review of the equipment needed by service members engaged in combat operations. From discussions with senior enlisted personnel at Fort Benning, the Committee understands that soldiers deployed to Afghanistan have serious concerns about the concurrent combat uniform which they indicate provides ineffective camouflage given the environment in Afghanistan. Accordingly, the Committee directs that within the funding made available in this title, the Department of Defense provide combat uniforms to personnel deployed to Afghanistan with a camouflage pattern that is suited to the environment of Afghanistan.

PROCUREMENT

The Committee recommends an additional appropriation of $23,045,559,000 for Procurement, as shown below:

[In thousands of dollars]

P–1		Budget request	Committee recommended
	Aircraft Procurement, Army		
11	UH–60 BLACKHAWK (MYP)	81,400	81,400
8	CH–47 HELICOPTER (MYP)	120,000	210,000
	Provides funding for three additional CH–47 aircraft for expanded aviation requirements in Overseas Contingency Operations	.....	90,000

[In thousands of dollars]

P–1		Budget request	Committee recommended
18	GUARDRAIL MODS (MIP)	39,700	39,700
20	AH–64 MODS	354,360	787,060
	Provides funding for conversion of one Army National Guard AH–64A battalion from A to D model aircraft		432,700
22	CH–47 CARGO HELICOPTER MODS (MYP)	9,760	9,760
32	ASE INFRARED COUNTERMEASURES	132,800	132,800
35	AIRCREW INTEGRATED SYSTEMS	3,584	3,584
36	AIR TRAFFIC CONTROL	21,000	21,000
	Total Aircraft Procurement, Army	762,604	1,285,304
	Missile Procurement, Army		
5	HELLFIRE SYSTEM SUMMARY	228,430	208,430
	Aligns production scheduling and capacity		−20,000
6	JAVELIN (AAWS–M) SYSTEM SUMMARY	119,327	99,327
	Aligns production scheduling and capacity		−20,000
7	TOW 2 SYSTEM SUMMARY	349,684	299,684
	Aligns production scheduling and capacity		−50,000
8	GUIDED MLRS ROCKET (GMLRS)	69,700	69,700
	Total Missile Procurement, Army	767,141	677,141
	Procurement of Weapons and Tracked Combat Vehicles (W&TCV), Army		
4	STRYKER VEHICLE	112,734	451,134
	Provides funding to procure 225 Stryker Medical Evacuation Vehicles and 35 Engineer Squad Vehicles		338,400
10	BRADLEY PROGRAM (MOD)	541,000	784,600
	Provides funding in support of Bradley Fighting Vehicle Reset requirements		243,600
12	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	236,800	236,800
15	M1 ABRAMS TANK (MOD)	378,000	346,500
	Aligns funding with Overseas Contingency Operations Requirements		−31,500
16	ABRAMS UPGRADE PROGRAM	100,000	100,000
20	M240 MEDIUM MACHINE GUN (7.62MM)	22,837	22,837
31	COMMON REMOTELY OPERATED WEAPONS STATION (CROWS)	279,500	279,500
36	M2 50 CAL MACHINE GUN MODS	12,500	12,500
	Total Procurement of W&TCV, Army	1,683,371	2,233,871
	Procurement of Ammunition, Army		
1	CTG, 5.56MM, ALL TYPES	3,000	3,000
2	CTG, 7.62MM, ALL TYPES	8,600	8,600
4	CTG, .50 CAL, ALL TYPES	56,600	56,600
6	CTG, 30MM, ALL TYPES	10,000	10,000
7	CTG, 40MM, ALL TYPES	25,750	25,750
16	PROJ 155MM EXTENDED RANGE XM982	35,000	35,000
17	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL TYPES	20,000	20,000
23	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	20,000	20,000
24	ROCKET, HYDRA 70, ALL TYPES	26,000	26,000
25	DEMOLITION MUNITIONS, ALL TYPES	525	525
26	GRENADES, ALL TYPES	10,000	10,000
28	SIMULATORS, ALL TYPES	3,000	3,000
30	NON-LETHAL AMMUNITION, ALL TYPES	1,800	1,800
39	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL TYPES	9,800	9,800
	Total Procurement of Ammunition, Army	230,075	230,075
	Other Procurement, Army		
1	TACTICAL TRAILERS/DOLLY SETS	107,426	107,426
2	SEMI-TRAILERS, FLATBED:	60,686	60,686

[In thousands of dollars]

P–1		Budget request	Committee recommended
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	842,456	842,456
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	574,121	574,121
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	967,221	967,221
9	ARMORED SECURITY VEHICLES (ASV)	137,583	137,583
10	MINE PROTECTION VEHICLE FAMILY	704,956	704,956
12	TRUCK, TRACTOR, LINE HAUL, M915/M916	5,548	5,548
13	HVY EXPANDED MOBILE TACTICAL TRUCK XT SERVICE PROGRAM	351,296	351,296
14	HMMWV RECAPITALIZATION PROGRAM	119,781	119,781
15	MODIFICATION OF IN SERVICE EQUIPMENT	441,000	441,000
18	HEAVY ARMORED SEDAN	1,700	1,700
19	PASSENGER CARRYING VEHICLES	8,350	8,350
20	NONTACTICAL VEHICLES, OTHER	50	50
23	WIN-T—GROUND FORCES TACTICAL NETWORK	400,590	400,590
28	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	5,800	5,800
31	GLOBAL BRDCST SVC—GBS	2,400	2,400
XX	SINCGARS—GROUND	100,000	0
47	RADIO, IMPROVED HF (COTS) FAMILY	170,700	170,700
50	TSEC—ARMY KEY MGT SYS (AKMS)	140	140
51	INFORMATION SYSTEM SECURITY PROGRAM—ISSP	110,332	110,332
55	WORLD-WIDE TECHNICAL CONTROL IMPROVEMENT PROGRAM	298,400	298,400
56	INFORMATION SYSTEMS	100,120	100,120
62	ALL SOURCE ANALYSIS SYS (ASAS) (MIP)	21,200	21,200
65	TACTICAL UNMANNED AERIAL SYS (TUAS) (MIP)	236,780	316,780
	Provides funding for one Quick Reaction Capability		80,000
66	SMALL UNMANNED AERIAL SYSTEM (SUAS)	27,547	27,547
72	TROJAN (MIP)	24,700	24,700
75	SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM	19,687	0
	Requirement being met with available funding		−19,687
77	LIGHTWEIGHT COUNTER MORTAR RADAR	34,500	25,900
	Adjusted requirement		−8,600
78	WARLOCK	354,500	354,500
79	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	169,799	169,619
	Classified adjustment		−180
83	NIGHT VISION DEVICES	82,500	82,500
88	COUNTER-ROCKET, ARTILLERY & MORTAR (C–RAM)	157,700	157,700
89	BASE EXPEDITIONARY TARGETING AND SURVEILLANCE SYSTEM	280,500	280,500
90	ARTILLERY ACCURACY EQUIPMENT	4,500	4,500
93	PROFILER	1,600	1,600
94	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	11,053	11,053
95	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	135,000	135,000
104	FIRE SUPPORT C2 FAMILY	10,800	10,800
107	AIR & MSL DEFENSE PLANNING & CONTROL SYSTEM (AMD PCS)	3,932	3,932
108	KNIGHT FAMILY	54,000	54,000
110	AUTOMATIC IDENTIFICATION TECHNOLOGY	3,000	3,000
111	TC AIMS II	1,000	0
	Reduced requirement		−1,000
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	4,900	0
	Fielding delayed		−4,900
118	MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)	18,000	18,000
121	AUTOMATED DATA PROCESSING EQUIP	72,856	51,700
	Funding provided supports Overseas Contingency Operations requirements		−21,156
122	CSS COMMUNICATIONS	48,254	41,554
	Reduced requirement		−6,700
XX	OTHER PROGRAMS	573	573
133	TACTICAL BRIDGING	96,000	96,000
136	GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS)	146,240	146,240
137	EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	700	700
141	LAUNDRIES, SHOWERS AND LATRINES	2,200	2,200
XX	LAND WARRIOR	700	700
149	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	8,700	8,700
151	ITEMS LESS THAN $5M (ENG SPT)	5,929	5,929
153	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	4,600	4,600
155	COMBAT SUPPORT MEDICAL	2,934	2,934
156	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	2,689	2,689

[In thousands of dollars]

P–1		Budget request	Committee recommended
158	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	7,514	7,514
163	LOADERS	21,650	21,650
165	TRACTOR, FULL TRACKED	13,088	13,088
168	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FAMILY OF SYSTEMS	27,250	27,250
174	GENERATORS AND ASSOCIATED EQUIP	17,000	17,000
175	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	20,200	40,200
	Transfer from All Terrain Lifting Army System		20,000
176	ALL TERRAIN LIFTING ARMY SYSTEM	21,000	1,000
	Transfer to Rough Terrain Container Handler		−20,000
177	COMBAT TRAINING CENTERS SUPPORT	40,700	40,700
178	TRAINING DEVICES, NONSYSTEM	22,741	22,741
185	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	305,200	305,200
186	PHYSICAL SECURITY SYSTEMS (OPA3)	25,000	25,000
190	BUILDING, PRE-FAB, RELOCATABLE	40,000	40,000
	Total Other Procurement, Army	8,121,572	8,039,349
	Aircraft Procurement, Navy		
10	UH–1Y/AH–1Z	102,400	277,400
	Procure seven additional combat loss replacement aircraft		175,000
12	MH–60S (MYP)	46,100	46,100
32	AV–8 SERIES	40,580	40,580
33	F–18 SERIES	32,834	26,434
	Excessive IDECM delivery time		−6,400
34	H–46 SERIES	18,300	18,300
36	H–53 SERIES	16,920	16,920
XX	P–3 SERIES		100,000
	Wing Kits		100,000
50	SPECIAL PROJECT AIRCRAFT	84,645	0
	Excessive delivery time		−84,645
55	COMMON ECM EQUIPMENT	163,390	163,390
59	V–22 (TILT/ROTOR ACFT) OSPREY	1,830	0
	Non-emergency modification		−1,830
60	SPARES AND REPAIR PARTS	16,000	2,800
	Excess initial spares funding		−13,200
61	COMMON GROUND EQUIPMENT	78,000	0
	Non-emergency trainer procurement		−78,000
	Total Aircraft Procurement, Navy	600,999	691,924
	Weapons Procurement, Navy		
10	HELLFIRE	27,500	27,500
28	FIRST DESTINATION TRANSPORTATION	1,905	0
	Excess funding		−1,905
29	SMALL ARMS AND WEAPONS	4,198	4,198
36	MARINE CORPS TACTIAL UNMANNED AERIAL SYSTEM	65,937	0
	Aligns Shadow UAV TDCL upgrade with Army plan		−65,937
	Total Weapons Procurement, Navy	99,540	31,698
	Procurement of Ammo, Navy & Marine Corps		
1	GENERAL PURPOSE BOMBS	30,359	30,359
3	AIRBORNE ROCKETS, ALL TYPES	24,899	24,899
7	AIR EXPENDABLE COUNTERMEASURES	16,200	16,200
11	OTHER SHIP GUN AMMUNITION	907	907
12	SMALL ARMS & LANDING PARTY AMMO	1,205	1,205
13	PYROTECHNIC AND DEMOLITION	351	351
15	SMALL ARMS AMMUNITION	34,902	34,902
16	LINEAR CHARGES, ALL TYPES	12,819	12,819
17	40 MM, ALL TYPES	25,129	25,129
18	60MM, ALL TYPES	20,197	20,197

[In thousands of dollars]

P–1		Budget request	Committee recommended
19	81MM, ALL TYPES	42,275	42,275
20	120MM, ALL TYPES	34,310	34,310
22	GRENADES, ALL TYPES	16,066	16,066
23	ROCKETS, ALL TYPES	5,380	5,380
24	ARTILLERY, ALL TYPES	63,752	63,752
26	DEMOLITION MUNITIONS, ALL TYPES	13,533	13,533
27	FUZE, ALL TYPES	4,477	4,477
28	NON LETHALS	2,158	2,158
	Total Procurement of Ammo, Navy & Marine Corps	348,919	348,919
	Other Procurement, Navy		
40	SURTASS	2,500	0
	Non-emergency modification		−2,500
43	SHIPBOARD IW EXPLOIT	14,400	14,400
56	MATCALS	59,243	0
	Non-emergency modification/Grow the Force		−59,243
66	GCCS-M EQUIPMENT TACTICAL/MOBILE	7,350	7,350
67	COMMON IMAGERY GROUND SURFACE SYSTEMS	24,518	0
	Non-emergency TES upgrades		−24,518
76	SHIP COMMUNICATIONS AUTOMATION	7,600	6,350
	Excessive growth		−1,250
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	29,460	29,460
123	CONSTRUCTION & MAINTENANCE EQUIP	33,000	33,000
125	TACTICAL VEHICLES	1,823	1,823
135	COMMAND SUPPORT EQUIPMENT	13,482	13,482
140	OPERATING FORCES SUPPORT EQUIPMENT	5,220	0
	Non-emergency equipment		−5,220
141	C4ISR EQUIPMENT	3,000	3,000
143	PHYSICAL SECURITY EQUIPMENT	63,230	63,230
	Total Other Procurement, Navy	264,826	172,095
	Procurement, Marine Corps		
1	AAV7A1 PIP	37	37
4	LAV PIP	158,590	158,590
8	155MM LIGHTWEIGHT TOWED HOWITZER	69,000	69,000
9	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	34,830	34,830
10	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	10,829	10,829
11	MODULAR WEAPON SYSTEM	1,739	1,739
12	MODIFICATION KITS	83,894	83,894
13	WEAPONS ENHANCEMENT PROGRAM	32,461	32,461
15	JAVELIN	35,548	35,548
18	MODIFICATION KITS	62,698	62,698
19	UNIT OPERATIONS CENTER	29,334	29,334
20	REPAIR AND TEST EQUIPMENT	46,145	46,145
21	COMBAT SUPPORT SYSTEM	1,648	1,648
23	ITEMS UNDER $5 MILLION (COMM & ELEC)	2,282	2,282
24	AIR OPERATIONS C2 SYSTEMS	1,064	1,064
25	RADAR SYSTEMS	19,520	19,520
26	FIRE SUPPORT SYSTEM	3,005	3,005
27	INTELLIGENCE SUPPORT EQUIPMENT	68,770	68,770
30	NIGHT VISION EQUIPMENT	48,883	48,883
31	COMMON COMPUTER RESOURCES	58,903	42,703
	Reduction of account for base bill items		−16,200
32	COMMAND POST SYSTEMS	14,517	14,517
33	RADIO SYSTEMS	45,675	45,675
34	COMM SWITCHING & CONTROL SYSTEMS	16,400	16,400
38	5/4T TRUCK HMMWV (MYP)	153,180	153,180
39	MOTOR TRANSPORT MODIFICATIONS	15,855	15,855
40	MEDIUM TACTICAL VEHICLE REPLACEMENT	29,891	29,891
41	LOGISTICS VEHICLE SYSTEM REP	23,814	23,814
42	FAMILY OF TACTICAL TRAILERS	4,060	4,060

[In thousands of dollars]

P–1		Budget request	Committee recommended
44	ITEMS LESS THAN $5 MILLION	1,389	1,389
45	ENVIRONMENTAL CONTROL EQUIP ASSORT	4,619	4,619
46	BULK LIQUID EQUIPMENT	3,962	3,962
47	TACTICAL FUEL SYSTEMS	11,436	11,436
48	POWER EQUIPMENT ASSORTED	25,377	25,377
49	AMPHIBIOUS SUPPORT EQUIPMENT	545	545
50	EOD SYSTEMS	110,680	110,680
51	PHYSICAL SECURITY EQUIPMENT	160,070	47,870
	Reduced by amount of GBOSS reprogramming–program complete		−112,200
53	MATERIAL HANDLING EQUIP	59,593	59,593
55	FIELD MEDICAL EQUIPMENT	11,243	11,243
56	TRAINING DEVICES	50,927	50,927
57	CONTAINER FAMILY	1,079	1,079
58	FAMILY OF CONSTRUCTION EQUIPMENT	105,990	105,990
59	FAMILY OF INTERNALLY TRANSPORTABLE VEHICLES (ITV)	12,000	12,000
61	RAPID DEPLOYABLE KITCHEN	1,287	1,287
62	ITEMS LESS THAN $5 MILLION	617	617
63	SPARES AND REPAIR PARTS	5,000	5,000
	Total Procurement, Marine Corps	1,638,386	1,509,986
	Aircraft Procurement, Air Force		
4	F–22A	600,000	600,000
XX	C–17A		2,245,200
	Provides for 8 C–17 aircraft		2,245,200
XX	C–130		904,200
	Provides for 3 MC–130J, 3 HC–130J, and 5 C–130J		904,200
20	C–12 A	45,000	45,000
29	MQ–9 UAV	195,858	305,858
	Provides for MQ–9 Reaper aircraft		110,000
36	F–16	63,200	63,200
39	C–5	104,800	59,800
	Provides funding for C–5A defensive systems and only four LAIRCM systems due to inability of Air Force to install within the next 12 months		−45,000
42	C–17A	230,200	0
	Provides no funding for LAIRCM systems due to inability of Air Force to install within the next 12 months		−230,200
52	C–12	89,000	111,500
	C–12 Modifications transferred from line 89		45,000
	Pricing correction on sensor kits		−22,500
56	C–130	189,910	118,410
	Provides funding for only 11 LAIRCM systems due to inability of Air Force to install within the next 12 months		−71,500
60	DARP	6,250	6,250
66	RQ–4 UAV MODS	32,000	0
	Groundbased Radar for Beale (does not deliver until 2012)		−32,000
69	MQ–1 MODS	49,500	49,500
70	MQ–9 MODS	114,700	32,700
	WAAS/Gorgon Stare Unjustified Request		−82,000
XX	COMMON SUPPORT EQUIPMENT		6,250
	Ten COTS Aircraft Air Conditioning Systems for Mobility aircraft in the CENTCOM AOR		6,250
89	OTHER PRODUCTION CHARGES	641,000	573,000
	Transfer C–12 modifications to Line 52		−45,000
	Classified adjustment		−23,000
92	DARP	17,400	17,400
	Total Aircraft Procurement, Air Force	2,378,818	5,138,268
	Missile Procurement, Air Force		
XX	PREDATOR HELLFIRE MISSILE	57,416	57,416

[In thousands of dollars]

P–1		Budget request	Committee recommended
	Total, Missile Procurement, Air Force	57,416	57,416
	Procurement of Ammunition, Air Force		
1	ROCKETS	5,600	5,600
2	CARTRIDGES	21,884	21,884
3	PRACTICE BOMBS	21,200	21,200
4	GENERAL PURPOSE BOMBS	36,700	36,700
5	JOINT DIRECT ATTACK MUNITION	85,400	85,400
7	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	3,000	3,000
12	FUZES	6,800	6,800
13	SMALL ARMS	3,100	3,100
	Total Procurement of Ammunition, Air Force	183,684	183,684
	Other Procurement, Air Force		
XX	PASSENGER CARRYING VEHICLES	0	0
	Transferred from OPAF, Other Programs		12,555
	Extremely low FY08 and FY09 execution		−12,555
2	MEDIUM TACTICAL VEHICLE	15,000	0
	Extremely low FY08 and FY09 execution		−15,000
4	SECURITY AND TACTICAL VEHICLES	17,500	0
	Extremely low FY08 and FY09 execution		−17,500
5	FIRE FIGHTING/CRASH RESCUE VEHICLES	9,566	0
	Extremely low FY08 and FY09 execution		−9,566
7	RUNWAY SNOW REMOV AND CLEANING EQUIPMENT	1,544	1,544
XX	OTHER PROGRAMS	12,555	0
	Transferred to OPAF, Passenger Carrying Vehicles		−12,555
12	INTELLIGENCE COMM EQUIPMENT	6,570	6,570
14	NATIONAL AIRSPACE SYSTEM	19,100	19,100
15	THEATER AIR CONTROL SYSTEMS IMPROVEMENT	4,540	4,540
16	WEATHER OBSERVATION FORECAST	2,780	2,780
25	C3 COUNTERMEASURES	1,600	1,600
29	BASE INFO INFRASTRUCTURE	20,000	0
	Combat Information System (unjustified request)		−20,000
30	USCENTCOM	8,100	8,100
42	RADIO EQUIPMENT	7,000	7,000
46	COMM ELECT MODS	6,415	6,415
47	NIGHT VISION GOGGLES	18,128	18,128
50	BASE PROCURED EQUIPMENT	3,500	3,500
54	ITEMS LESS THAN $5,000,000	20,000	20,000
60	DEFENSE SPACE RECONNAISSANCE PROGRAM	52,000	52,000
XX	OTHER PROGRAMS	1,609,055	1,594,484
	Classified Adjustment		−14,571
	Total Other Procurement, Air Force	1,834,953	1,745,761
	Procurement, Defense-Wide		
XX	OTHER PROGRAMS	183,071	183,071
69	SOF ORDNANCE REPLENISHMENT	1,000	1,000
71	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	3,100	3,100
72	SOF INTELLIGENCE SYSTEMS	8,100	8,100
95	SOF OPERATIONAL ENHANCEMENTS	1,797	4,797
	Tactical Combat Casualty Care Equipment		3,000
	Total Procurement, Defense-Wide	197,068	200,068
	National Guard and Reserve Equipment Account		
	National Guard and Reserve Equipment Account		500,000

AH–64 APACHE MODIFICATIONS

The Committee is aware that the Army has AH–64A Apache helicopter battalions in the Army National Guard that are not funded for modernization to the AH–64D, Longbow II configuration. The AH–64A helicopter is considered to be non-deployable for overseas contingency operations due to its obsolete technology. The Committee is also aware that certain AH–64A battalions were scheduled to receive new production aircraft from the Armed Reconnaissance Helicopter program which was terminated on October 16, 2008. In order to modernize these Army National Guard battalions and to increase the number of critical Army aviation assets which are available for combat deployment, the Committee recommendation includes an increase of $432,700,000. The funding increase provides for modernization of 24 AH–64A aircraft to AH–64D Longbow II configuration. The funding also provides for a crew trainer and modernized fire control radar.

STRYKER VEHICLE

The Committee recommendation includes an increase of $338,400,000 to purchase additional Stryker vehicles. The Committee is aware that the Army has diverted production of funded ambulance and engineer squad vehicles to support the fielding of a Theater Provided Equipment Stryker Brigade Combat Team set in Afghanistan. The Committee is aware of the excellent performance of Stryker vehicles in combat operations and supports the establishment of a Stryker vehicle set in Afghanistan. However, the Committee is also aware of the need for Stryker ambulances to replace Vietnam era M113 ambulances in certain brigade combat teams. Accordingly, the Committee recommendation includes an additional $338,400,000 to fund the procurement of 225 Stryker ambulances and 35 Engineer Squad vehicles.

SINGLE CHANNEL GROUND AND AIRBORNE RADIO SYSTEM (SINCGARS)

The budget request for supplemental funding for overseas contingency operations includes $100,000,000 for 5,771 SINCGARS radios, plus software, engineering support and logistical support. The SINCGARS VHF–FM radio system provides the primary means of communications for command and control for combat, combat support and combat service support units in the Army. The Committee understands that the additional funding proposed in the budget request will increase total funding that is available for SINCGARS to a level sufficient to procure radios up to the Army Acquisition Objective of 581,000 radios. Additionally, it will fund sufficient radios and installation kits for a radio in every vehicle to counter potential incidents of fratricide, and enhance situational awareness. The Committee supports the Army goals for tactical radios and has been a strong supporter of funding for SINCGARS radios in prior supplemental and base budget requests. However, the Committee expressed concerns in the Explanatory Statement accompanying the Department of Defense Appropriations Act for Fiscal Year 2009, over the Army's management of contracts to achieve the Army Acquisition Objective. The Explanatory Statement directed that none of the funds provided in the Act could be used for procurement of SINCGARS radios until the Secretary of Defense cer-

tifies to the Congressional defense committees that any such procurement of SINCGARS radios will utilize full and open competition that will provide best value for Army radio requirements including consideration of multi-band, JTRS capable solutions. However, the Army justification material and subsequent discussions have failed to explain the Army Acquisition Objective of 581,000 radios considering the recent announcement that the Army would not increase the number of brigade combat teams from 45 to 48. Accordingly, the Committee recommendation provides no funding for SINCGARS radios.

RAPID EQUIPPING FORCE

The Committee recommendation provides $305,000,000 for the Rapid Equipping Force (REF), as proposed in the budget request. The Committee agrees with the Army Vice Chief of Staff's characterization of the REF as a "national treasure" and strongly believes the REF should be included as a permanent part of the Army's budgetary structure. The Committee commends the Army for including $99,000,000 in the request for Rapid Equipping Force funding for Counter Sniper and Soldier Wearable Acoustic Targeting Sniper Systems. This amount should satisfy numerous emergency requests from forward deployed and forward deploying units, and begins to address frustrations expressed by the Committee over the lack of responsiveness by the Army's acquisition process in fielding this life saving equipment. The Committee directs the Army to provide an acquisition objective and basis of issue plan for both vehicular and soldier wearable sniper detection equipment within 60 days of enactment of this Act. If shortfalls still exist, the Committee expects the Army to reprogram the necessary funds to accommodate the shortfalls.

P–3 WING KITS

The Navy's fleet of P–3 Orion aircraft is flying missions in support of overseas contingency operations. The Navy has grounded 39 of the aircraft as a result of a wing fatigue failure due to age and heavy use. The recommendation provides $100,000,000 to procure replacement wing kits to return the grounded aircraft to service as soon as possible.

C–17 GLOBEMASTER III

The Committee recommendation includes $2,245,200,000 for the procurement of eight C–17 Globemaster III aircraft. The C–17 is the workhorse of the theater, flying fifty percent of all sorties for the United States Transportation Command over the last 24 months. These missions range from airdrops for troops in forward locations to aeromedical evacuation of servicemembers from theater back to the United States. While the aircraft is designed to fly 1,000 hours per year over 30 years, over the last ten years the C–17 fleet has averaged 1,250 hours per aircraft with some aircraft flying in excess of 2,400 hours in a single year. This heavy usage is reducing the expected service life of the aircraft. The aircraft included in the recommendation will alleviate some of these issues by introducing new aircraft into the inventory.

Further, the Committee is concerned that a decision on the continuation of the C–17 program was announced prior to the completion of the Mobility Capability and Requirements Study (MCRS), which will address the needs of the Department of Defense in 2016. Since the last MCRS in 2005, several changes have occurred that would change previous requirements to include the growth of ground forces, the increased size and use of Special Operations Forces, additional use of the C–17 in an intra-theater role, and the stand up of a new combatant command—United States Africa Command. It seems more prudent to continue the C–17 program until the results of the study are announced later this year.

Additionally, the Air Force is encouraged to work with Congress and the reserve component to replace aging C–5A aircraft with C–17 aircraft. While there are concerns that reserve component aircraft are not utilized at the same rate as aircraft assigned to Air Mobility Command, the Committee believes that the Air Force can develop plans to work with the reserve component to address some of these issues (i.e. active association with Guard units).

F–18 AIRCRAFT

The Committee believes the Department of Defense and the Congress must seriously come to grips with the looming shortfall in Navy tactical aircraft. Last year, the fiscal year 2009 defense appropriations conference report noted the Navy faced a growing strike fighter shortfall due to the aging of the tactical aircraft fleet and the fact that the F–35 Joint Strike Fighter program will not begin to deliver carrier aircraft in significant quantities for years to come. At that time the Navy identified a shortfall of approximately 69 aircraft. Thus, the conference report encouraged the Navy to budget for a third multi-year procurement of F–18 aircraft beginning in fiscal year 2010.

More recent analysis has identified a Department of the Navy strike fighter shortfall in excess of 200 aircraft. Unfortunately the Navy plans to fund the procurement of only nine F–18 aircraft in fiscal year 2010, with no indication given as to its outyear plans. The Committee believes that the most cost-effective approach to address the Navy's tactical fighter shortfall is to purchase additional F–18 aircraft under a multi-year procurement program. Moreover, the Committee is concerned by the Department's apparent lack of a plan for maintaining a sufficiently robust domestic strike fighter industrial base in the near term. Accordingly, the Committee encourages the Department of Defense to continue to explore initiating an F–18 aircraft multi-year program as soon as possible to mitigate the strike fighter shortfall.

NATIONAL GUARD AND RESERVE EQUIPMENT

The National Guard and Reserve traditionally receive less than a proportionate share of funding to resource the equipment needs of the reserve forces. As a result, the Committee recommends funding for the National Guard and reserve forces as discussed below.

The Committee recommendation for the National Guard and Reserve Equipment Account is $500,000,000. Of that amount, $300,000,000 is for the Army National Guard; $50,000,000 for the Air National Guard; $75,000,000 for the U.S. Army Reserve; $25,000,000 for the Navy Reserve; $25,000,000 for the Marine

Corps Reserve; and $25,000,000 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 may be used by these units for both their combat missions and their missions in support of the state governors.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The Committee recommends an additional appropriation of $721,930,000 for Research, Development, Test and Evaluation, as shown below:

[In thousands of dollars]

R–1		Budget Request	Committee Recommended
	Research, Development, Test & Evaluation, Army		
61	SOLDIER SUPPORT AND SURVIVABILITY	6,944	6,944
93	NIGHT VISION SYSTEMS—SDD	64,500	64,500
134	EXPLOITATION OF FOREIGN ITEMS	390	390
162	INFORMATION SYSTEMS SECURITY PROGRAM	1,900	1,900
	Total Research, Development, Test & Evaluation, Army	73,734	73,734
	Research, Development, Test & Evaluation, Navy		
91	V–22A	3,900	0
	Non-emergency development effort		−3,900
122	INTELLIGENCE ENGINEERING	1,850	0
	CNO Nodal analysis		−1,850
180	MARINE CORPS COMMUNICATIONS SYSTEMS	8,700	0
	Non-emergency development effort		−8,700
202	MANNED RECONNAISSANCE SYSTEMS	8,855	0
	Excessive delivery time		−8,855
XX	OTHER PROGRAMS	121,231	96,231
	Total Research, Development, Test & Evaluation, Navy	144,536	96,231
	Research, Development, Test & Evaluation, Air Force		
XX	OTHER PROGRAMS	108,259	92,574
	Total Research, Development, Test & Evaluation, Air Force	108,259	92,574
	Research, Development, Test & Evaluation, Defense-Wide		
23	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	0	2,000
	Freeze-Dried Platelet & Plasma Development		2,000
124	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE STAFF OFFICE	15,645	15,645
139	GENERAL SUPPORT TO USD (INTELLIGENCE)	17,250	11,500
	Program Adjustment		−5,750
XX	OTHER PROGRAMS	2,001	0
	Program Adjustment		−2,001
210	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	1,545	1,545
XX	OTHER PROGRAMS	446,927	428,701
	Program Adjustment		−18,226
	Total Research, Development, Test & Evaluation, Defense-Wide	483,368	459,391

NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM

The Committee remains concerned about the projected availability of the National Polar-orbiting Operational Environmental Satellite System (NPOESS) program to deliver operational weather data. The Committee has not observed the Department of Defense, the Air Force, or the Executive Committee Tri-Agency partners providing a clear path ahead to remedy the chronic problems plaguing this important acquisition program.

Therefore, the Committee directs the Department of Defense Executive Agent for Space in consultation with the National Oceanic and Atmospheric Administration (NOAA) and the National Aeronautics and Space Administration (NASA) to evaluate restructure options and how each would affect operations requiring operational weather data as well as the impacts to civil forecasting and climate research.

The Committee further directs the Office of the Secretary of Defense, Cost Analysis Improvement Group, in consultation with NOAA and NASA, to perform an independent cost analysis of all of the recommended programmatic and acquisition alternatives. The cost analysis should reflect the 80/20 budgeting profile recommended by several independent assessments, as applicable. The results of this direction shall be reported to the Committees on Appropriations of both the House of Representatives and the Senate within 90 days of enactment of this Act.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

The Committee recommends an additional appropriation of $846,726,000 for the Defense Working Capital Fund accounts. This supports funding of $443,200,000 for the Defense Working Capital Fund, Army, to restock spare and repair parts essential to the operational readiness of the Army and $403,526,000 for the Defense Working Capital Fund, Defense-Wide, for contingency operations costs for the Defense Information Systems Agency and the Defense Logistics Agency.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The Committee recommends an additional appropriation of $1,097,297,000 for the Defense Health Program, as shown below:

[In thousands of dollars]

	Budget Request	Committee Recommended
Defense Health Program		
OPERATION AND MAINTENANCE	845,508	845,508
In-House Care	178,828	178,828
Private Sector Care	579,243	579,243
Consolidated Health Care	68,196	68,196
Information Management/IT	5,700	5,700
Education and Training	9,119	9,119
Base Operations and Communications	4,422	4,422

[In thousands of dollars]

	Budget Request	Committee Recommended
PROCUREMENT	30,185	50,185
Rehabilitation Equipment		20,000
RESEARCH, DEVELOPMENT, TEST & EVALUATION	33,604	201,604
Psychological Health and Traumatic Brain Injury		100,000
Orthopedic Research		68,000

TRAUMATIC BRAIN INJURY AND PSYCHOLOGICAL HEALTH RESEARCH

One of the alarming features of modern warfare is the increasing occurrence of traumatic brain injury. Department of Defense estimates indicate that among servicemembers returning from deployment during the period from October 1, 2001 through December 31, 2008, there were 42,600 diagnosed cases of post traumatic stress disorder (PTSD). Also, during the period from October 2003 through December 2008, there were 58,257 servicemembers treated for traumatic brain injury (TBI). Military Health System data also show an increase in the prevalence of PTSD and psychological issues, resulting from traumatic events and injuries, among troops returning from Iraq and Afghanistan. America's Armed Forces in Iraq and Afghanistan have sustained repeated attacks from weapons such as rocket-propelled grenades, improvised explosive devices and land mines. Servicemembers suffering from brain injuries from these devices require specialized care from providers experienced in treating TBI in its various severities. Exposure to these incidents and to the stressors that inevitably accompany them has a dramatic effect on the overall physical and psychological health of our deployed troops. These injuries degrade the quality of life for soldiers and their families as well as military readiness. The growing number of soldiers with TBI and psychological health issues is a challenge for the Military Health System, and the Committee finds that the level of assessment and standard of care provided for military servicemembers is in need of enhancement.

Accordingly, the Committee recommendation includes $100,000,000 for Traumatic Brain Injury and Psychological Health peer-reviewed and/or competitively awarded research, development, test and evaluation. Of the funds provided, the Committee recommends the following uses identified below but does not limit the areas in which research should be continued and conducted.

The funding provided will continue the efforts of the Department's counseling, suicide prevention, tele-health and risk reduction for servicemembers and their families. The Committee has also learned through hearings and travel to various installations that there is a population of soldiers that do not respond to traditional methods of care for certain traumatic brain injuries. The Committee believes that these are areas where alternative and holistic medicine therapies should be explored by the Department. Therefore, the funding will be used to leverage and accelerate programs that identify alternative and holistic medicine to treat psychological health and TBI, such as immersive virtual reality therapies, simulation coaching and software, and additional "alternative" therapies—using secure social networks, pet therapies, art/music/recreation therapies, environmental engineering therapies including lighting, sunlight, space design, and human factors. Funding shall

be used to continue to establish prevention strategies focused on programs that have proven results in the field of psychological health and to establish early clinical and treatment procedures.

The funding provided for TBI and Psychological Health is to validate emergent approaches and technologies and to accelerate ongoing programs for early diagnosis, assessment and treatment of TBI and Psychological Health, including spinal cord injury and complementary and alternative medicine.

ORTHOPEDIC RESEARCH

Serious limb trauma, vascular injuries, major limb tissue damage, and blood flow disruption contribute heavily to United States military casualties in Iraq and Afghanistan. Department of Defense estimates indicate that nearly two-thirds of injuries sustained in combat in Iraq and Afghanistan are musculoskeletal. Indeed, extremity injuries are the most prevalent injury, and amputations following battlefield injury now occur at twice the rate as in past wars. Understanding how to treat and facilitate rapid recovery from orthopedic injuries should be one of the top priorities for the Military Health System.

Accordingly, the Committee provides $68,000,000 for orthopedic and other trauma research, treatment, procedures and rehabilitation including regenerative medicine. This funding will continue and expand the existing orthopedic trauma research program, amputee rehabilitation and reset research, and restoration of function.

REHABILITATION EQUIPMENT

The Committee provides $20,000,000 to procure equipment for rehabilitation facilities currently under construction. The equipment will enable continued state-of-the-art care for soldiers with various types of injuries to recover to their full potential and return to a more normal way of life.

SHARING OF ELECTRONIC RECORDS

The Committee continues to recognize that support of the Wounded Warrior program initiatives is critical to improve and support traumatic brain injury (TBI) diagnosis and treatment. The Committee recognizes that support for these programs is essential and needs to be consistent between federal agencies. The Committee continues to support the efforts of the Department of Defense to work with the Department of Veterans Affairs to determine whether current efforts can be expanded into a joint, comprehensive TBI program.

VISION CENTER OF EXCELLENCE

The Committee understands that the Department is currently determining the proper location for the Center of Excellence as part of the consolidation of National Capitol Region facilities. The Committee directs that within 60 days of enactment of this Act the Department report on the status of this process and costs that would be associated with the establishment of this center.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The Committee recommends an additional appropriation of $137,198,000 for Drug Interdiction and Counter-Drug Activities, as shown below:

[In thousands of dollars]

	Budget request	Committee recommended
Drug Interdiction and Counter-Drug Activities, Defense		
AFGHANISTAN	57,308	57,308
PAKISTAN	25,800	25,800
OTHER NATIONS	58,090	54,090
Tajikistan	18,940	18,940
Turkmenistan	2,850	2,850
Kyrgyzstan	21,520	21,520
Kazakhstan	10,580	10,580
Uzbekistan	4,000	0
Other Regional Support	200	200
Total Drug Interdiction and Counter-Drug Activities, Defense	141,198	137,198

UZBEKISTAN

The fiscal year 2009 supplemental request contains $4,000,000 for a border crossing facility between Uzbekistan and Afghanistan. The Committee believes that this request is premature as the Department has just begun preliminary investigations with the government of Uzbekistan on site location; therefore, no funding has been provided for the facility construction.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

The Committee recommends an additional appropriation of $1,316,746,000 for the Joint Improvised Explosive Device Defeat Fund, as shown below:

[In thousands of dollars]

	Budget request	Committee recommended
Joint Improvised Explosive Device Defeat Fund		
ATTACK THE NETWORK	499,830	499,830
DEFEAT THE DEVICE	607,389	457,389
Poor budget execution		−150,000
TRAIN THE FORCE	333,527	333,527
STAFF AND INFRASTRUCTURE	26,000	26,000
Total Joint Improvised Explosive Device Defeat Fund	1,466,746	1,316,746

DEFEAT THE DEVICE

The Congress has long supported a robust program for the Joint Improvised Explosive Device Defeat Organization (JIEDDO). For fiscal year 2009, in the Supplemental Appropriations Act, 2008, (P.L. 110–252) the Congress made $2,000,000,000 available for JIEDDO including $950,000,000 for activity related to Defeat the Device. The Committee recommends an additional $1,316,746,000 for JIEDDO in this bill, of which $457,389,000 is available to continue Defeat the Device efforts. However, the Committee understands that none of the $950,000,000 included in the Supplemental

Appropriations Act, 2008, has yet been obligated. Accordingly, the recommendation in this bill is a reduction of $150,000,000 from the request.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

The Committee recommends an additional appropriation of $4,843,000,000 for the Mine Resistant Ambush Protected Vehicle Fund.

MINE RESISTANT AMBUSH PROTECTED—ALL TERRAIN VEHICLES

The Committee recommendation provides $4,843,000,000 for Mine Resistant Ambush Protected—All Terrain Vehicles (M–ATVs), an increase of $2,150,000,000 and 800 vehicles above the request. The Department requested $2,693,000,000 for 1,000 vehicles, but indicated that the requirement was much greater.

M–ATVs are urgently needed to protect servicemembers against improvised explosive devices and other threats in Afghanistan. These new, lightweight MRAPs operate better than current vehicles in the close urban environments and challenging terrain of Afghanistan.

OFFICE OF THE INSPECTOR GENERAL

The Committee recommends an additional appropriation of $9,551,000 for the Office of the Inspector General.

GENERAL PROVISIONS, THIS TITLE

Title I contains several general provisions, many of which extend or modify war-related authorities included in previous Acts. A brief description of the recommended provisions follows:

Section 10001 provides that funds made available in this title are in addition to amounts appropriated or made available for the Department of Defense for fiscal year 2009.

(INCLUDING TRANSFER OF FUNDS)

Section 10002 provides special transfer authority for funds made available in this title for the Department of Defense.

Section 10003 provides for the obligation and expenditure of funds related to activities pursuant to section 504(a)(1) of the National Security Act of 1947.

(INCLUDING TRANSFER OF FUNDS)

Section 10004 provides for transfers from the Defense Cooperation Account.

Section 10005 provides that for construction projects in Iraq and Afghanistan funded with operation and maintenance funds, supervisory and administrative costs may be obligated when the contract is awarded.

(INCLUDING RESCISSIONS)

Section 10006 provides for a two year period of availability for the Iraq Security Forces Fund and the Afghanistan Security Forces Fund.

Section 10007 provides authority to use operation and maintenance appropriations to purchase items having an investment item unit cost of not more than $250,000, or upon determination by the Secretary of Defense that the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas can be met, funds may be used to purchase items having an investment item unit cost of not more than $500,000.

Section 10008 authorizes the Secretary of Defense to accept contributions of funds from any person, foreign government, or international organization to carry out the Commander's Emergency Response Program in Iraq or Afghanistan.

Section 10009 provides funds for the military spouse career transition assistance internship program.

(INCLUDING TRANSFER OF FUNDS)

Section 10010 provides the authority for an Air Safety System for the Kyrgyz Republic.

Section 10011 provides for the procurement of passenger motor vehicles for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan.

(RESCISSIONS)

Section 10012 rescinds $2,859,392,000 in unobligated balances from multiple Operation and Maintenance accounts and $150,608,000 in unobligated balances from various Research, Development, Test and Evaluation accounts:

2009 Appropriations:	
Operation and Maintenance, Army:	
Fuel	$352,359,000
Operation and Maintenance, Navy:	
Fuel	881,481,000
Operation and Maintenance, Marine Corps:	
Fuel	54,466,000
Operation and Maintenance, Air Force:	
Fuel	925,203,000
Operation and Maintenance, Defense-Wide:	
Fuel	81,135,000
Classified	5,000,000
Operation and Maintenance, Army Reserve:	
Fuel	23,338,000
Operation and Maintenance, Navy Reserve:	
Fuel	62,910,000
Operation and Maintenance, Marine Corps Reserve:	
Fuel	1,250,000
Operation and Maintenance, Air Force Reserve:	
Fuel	163,786,000
Operation and Maintenance, Army National Guard:	
Fuel	57,819,000
Operation and Maintenance, Air National Guard:	
Fuel	250,645,000
Research, Development, Test and Evaluation, Navy:	
Fuel	30,510,000
Research, Development, Test and Evaluation, Air Force:	
Fuel	15,098,000
C–SAR–X RDT&E	100,000,000
2008 Appropriations:	
Research, Development, Test and Evaluation, Navy:	
Classified	$5,000,000

(INCLUDING TRANSFER OF FUNDS)

Section 10013 provides for the transfer of $150,600,000 from various Army procurement accounts to Army, Army Reserve, and Army National Guard personnel accounts, as follows:

To "Military Personnel, Army, 2009"	$100,600,000
"Reserve Personnel, Army, 2009"	41,000,000
"National Guard, Personnel, Army, 2009"	9,000,000
From "Aircraft Procurement, Army, 2009/2011"	
Common Ground Equipment	11,000,000
Airborne Avionics	11,600,000
From "Procurement of Ammunition, Army, 2009/2011"	
Cartridge, Tank, 120mm, All Types	46,800,000
Signals, All Types	50,100,000
Mine, Clearing Charge, All Types	2,000,000
Ammo Components (Renovation)	8,200,000
From "Other Procurement, Army, 2008/2010"	
Combat Identification	4,100,000
Satellite Terminal, EMUT	4,500,000
Smoke and Obscurant Family	8,000,000
Heaters and Environmental Control Units	4,300,000

(RESCISSION)

Section 10014 rescinds $181,500,000 in unobligated balances from Operation and Maintenance, Defense-Wide for intelligence activities:

2009 Appropriations:	
Operation and Maintenance, Defense-Wide:	
Intelligence Activities	$181,500,000

(INCLUDING TRANSFER OF FUNDS)

Section 10015 provides for retroactive Stop-Loss payments.

Section 10016 provides authority to retire certain aircraft.

Section 10017 prohibits obligation or expenditure of funds contrary to the provisions of section 814 of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109–364).

Section 10018 prohibits the use of funds available in this Act for the Department of Defense to finance projects denied by the Congress in the fiscal year 2008 or fiscal year 2009 Department of Defense Appropriations Acts.

Section 10019 prohibits the obligation or expenditure of funds in this or any other Act to establish a permanent base in Iraq or to exercise control over Iraqi oil resources.

Section 10020 prohibits the obligation of expenditure of funds in this or any other Act to establish a permanent base in Afghanistan.

Section 10021 requires a report on troop drawdown status.

TITLE II—MILITARY CONSTRUCTION, FOREIGN OPERATIONS, AND OTHER MATTERS

CHAPTER 1—AGRICULTURE

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

The bill provides a total of $500,000,000 for Public Law 480 title II Grants for fiscal year 2009 for urgent humanitarian food assistance. The program provides direct donations of U.S. agricultural commodities for emergency relief and development. The bill recognizes that the global financial crisis and world-wide recession are worsening food emergencies in many countries, consequently reducing the world's ability to respond. Therefore, the bill provides an increase above the 2008 appropriated level to enhance available resources in order to meet the needs of unanticipated food aid emergencies.

GENERAL PROVISIONS, THIS CHAPTER

The bill includes language to facilitate recovery activities under the Emergency Conservation Program.

The bill includes language to provide additional loan authority under the agricultural credit insurance fund program.

CHAPTER 2—COMMERCE AND JUSTICE

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Consistent with the direction contained in title I, the Committee directs the Department of Commerce through the National Environmental Satellite Data and Information Service (NESDIS) to evaluate re-structure options of the National Polar-orbiting Operational Environmental Satellite System (NPOESS) and how each option would affect operational weather data and how it is employed by the civil community for severe weather, flood, and fire emergencies, and for research and monitoring climate change. NESDIS is directed to employ NASA cost analysis capabilities, in consultation with the Office of the Secretary of Defense (OSD), Cost Analysis Improvement Group (CAIG), to perform an independent cost analysis of all of the recommended programmatic and acquisition alternatives, and should reflect the 80/20 budgeting profile recommended by several independent assessments, as applicable. The results of this direction shall be reported to the Committees on Appropriations of the House of Representatives and the Senate within 90 days of enactment of this Act.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The Committee recommendation includes $1,648,000, as requested, for the Criminal Division to supplement existing Iraq training and assistance provided to investigators, prosecutors, judges and other parts of the Iraqi criminal justice system.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommendation includes $5,000,000, as requested, for the United States Attorneys for extraordinary litigation expenses associated with terrorism prosecutions of national importance.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

The Committee recommendation includes $1,389,000, as requested, for the National Security Division (NSD). These funds will allow NSD to continue to provide prosecutorial support for the trials of suspected terrorists.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The Committee recommendation includes $4,000,000, as requested, for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). These funds will allow ATF to deploy explosive enforcement officers to Iraq on a rotational basis in order to provide training to U.S. government employees and contractors on post-blast investigation and render safe procedures for improved explosives devices.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The Committee recommendation includes $5,038,000 for the Federal Prison System, as requested, to continue counter-terrorism activities that have been funded in previous war supplemental appropriations acts. These activities include monitoring and translating the communications of incarcerated terrorists and disseminating information to law enforcement agencies, as appropriate.

GENERAL PROVISION, THIS CHAPTER

(INCLUDING RESCISSION)

The Committee recommendation includes the following general provision for this chapter:

Section 20201 rescinds $3,000,000 appropriated to the Department's Office of Inspector General in chapter 2 of title I, Public Law 110–252, and reappropriates these funds to extend their availability.

CHAPTER 3—ENERGY

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

STRATEGIC PETROLEUM RESERVE

(TRANSFER OF FUNDS)

The Committee recommends an additional $21,585,723 for "Strategic Petroleum Reserve", to be derived by transfer from the "SPR Petroleum Account", the same as the request. This will allow the Department of Energy (DOE) to transfer unobligated balances from the SPR Petroleum Account to the Strategic Petroleum Reserve account to address a backlog of key operations and maintenance activities that were deferred to fund immediate cleanup in the aftermath of Hurricanes Gustav and Ike. Continued deferral of these maintenance activities will hinder DOE's ability to respond to an oil supply disruption.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

DEFENSE NUCLEAR NONPROLIFERATION

The Committee recommends an additional $55,000,000 for "Defense Nuclear Nonproliferation". This amount is provided for the International Nuclear Materials Protection and Cooperation Program to fund new nuclear security opportunities to counter emerging threats in Russia and other countries of concern. The Committee's recommendation is $34,500,000 less than the request of $89,500,000 for Defense Nuclear Nonproliferation.

The Committee does not include the request of $34,500,000 for the disablement and dismantlement of North Korea's plutonium program. The recent breakdown of cooperation in spent fuel disposition in the Democratic People's Republic of Korea, including the expulsion of U.S. workers on this program, has made the request unnecessary at this time. Should the U.S. regain cooperation with North Korea, and work resume, the Department may submit a reprogramming request for these activities.

CHAPTER 4—GENERAL GOVERNMENT

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

The Committee recommends $2,936,000 for salaries and expenses of the National Security Council (NSC), as requested by the President. The Committee understands that these funds will be used for additional staff and support costs to improve the capability of the NSC to support the President in addressing critical national security concerns.

CHAPTER 5—HOMELAND SECURITY

DEPARTMENT OF HOMELAND SECURITY

FEDERAL EMERGENCY MANAGEMENT AGENCY

FIREFIGHTER ASSISTANCE GRANTS

The Committee recommendation includes a provision allowing the Administrator of United States Fire Administration to waive certain requirements of section 34 of the Federal Fire Control and Prevention and Control Act of 1974 (SAFER) for fiscal years 2009 and 2010 and clarifies that grants may be for hiring, rehiring, or retaining firefighters.

GENERAL PROVISIONS, THIS CHAPTER

The Committee recommendation includes a Jones Act waiver for the drydock ALABAMA.

The Committee recommendation includes a Jones Act waiver for the vessel MARYLAND INDEPENDENCE.

CHAPTER 6—INTERIOR AND ENVIRONMENT

DEPARTMENT OF THE INTERIOR

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends $50,000,000, as requested, for wildfire suppression and emergency rehabilitation activities of the Department of the Interior, available only if other available funds will be exhausted imminently and the House and Senate Committees on Appropriations are notified in writing. If it enhances the efficiency or effectiveness of Federal wildland fire suppression activities, the Secretary of the Interior may transfer any of these funds to the Secretary of Agriculture for similar activities. The Committee notes that it is difficult to predict wildfire suppression needs this early in the season. If the 2009 fire season is like the past three seasons, models and experience indicate that existing available funds will not be sufficient to cover costs.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends $200,000,000, as requested, for wildfire suppression and emergency rehabilitation activities of the Forest Service, available only if other available funds will be exhausted imminently and the House and Senate Committees on Appropriations are notified in writing. If it enhances the efficiency or effectiveness of Federal wildland fire suppression activities, the Secretary of Agriculture may transfer not more than $50,000,000

of these funds to the Secretary of the Interior for similar activities. The Committee notes that it is difficult to predict wildfire suppression needs this early in the season. If the 2009 fire season is like the past three seasons, models and experience indicate that existing available funds will not be sufficient to cover costs.

CHAPTER 7—HEALTH AND HUMAN SERVICES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends $1,850,000,000, to remain available until expended, to ensure that the Department of Health and Human Services (HHS) and other Federal agencies have the necessary resources to respond to the emerging outbreaks of swine influenza A (H1N1) in the United States, protect the public health, and accelerate efforts to prepare for a potential global influenza pandemic. The President requested $1,500,000,000 for these activities through the Executive Office of the President. The Department of Homeland Security (DHS) has declared a public health emergency as a result of the confirmed cases of human-to-human transmission of influenza A (H1N1) infections in the U.S. Moreover, on April 29, 2009, the World Health Organization raised the level of alert for a global pandemic to Phase 5, which is a strong signal that a pandemic is imminent.

A potential influenza pandemic poses a major threat to the nation's public health, security, and economy at a time when the nation is beginning to see some signs of economic recovery. The Congressional Budget Office has estimated that an influenza pandemic could cause a decline in the U.S. gross domestic product of between one and 4.25 percent depending on the severity of the pandemic. The funds provided in this bill to boost the nation's defenses will help ameliorate morbidity and mortality associated with the worst case scenarios of an influenza pandemic, thereby reducing the potential economic burden.

While the U.S. has made significant progress in preparing for a potential influenza pandemic since 2005, the country is nevertheless not fully prepared. Once a pandemic begins, time is a critical factor in the production and delivery of vaccines and other medical countermeasures required to mitigate the pandemic. Lessons learned from past influenza pandemics indicate that influenza can strike a community, affect many individuals, and then appear to go away, only to come back to strike the community months later.

Within the total provided, the Committee recommends $1,300,000,000 in flexible resources to be used to address this emerging situation and the potential spread of this outbreak. These resources may be used to replenish and supplement Federal stockpiles of antivirals, medical supplies, and personal protective equipment, such as masks, respirators, gloves, and gowns, to treat and protect the public, including frontline public health and emergency responders; develop and purchase an H1N1 vaccine; support disease surveillance, diagnostic tests, and public health response capa-

bilities; develop more effective and robust community mitigation strategies; and assist international efforts to stem this outbreak. The Committee includes bill language that permits the transfer of funds within HHS and to other Federal agencies to meet the purposes of this Act. Prior to transferring funds to other Federal agencies, the HHS Secretary must notify the Committees on Appropriations of the House of Representatives and the Senate of any such transfer and the planned uses of the funds.

Within the total provided, the Committee recommends that no less than $200,000,000 shall be transferred to the Centers for Disease Control and Prevention (CDC). CDC is the lead Federal agency at HHS involved with detecting, preparing for, and responding to infectious disease outbreaks. This funding will be used for an array of pandemic influenza preparedness and response activities, including U.S. and global disease detection and surveillance, laboratory capacity and research, diagnostic capabilities, risk communication, rapid response, enhanced staffing of quarantine stations at domestic and international ports of entry, rapid and safe distribution of medical treatments and vaccines from the Strategic National Stockpile, guidance development, and assistance to State and local public health departments.

Also within the total provided, the Committee recommends no less than $350,000,000 for upgrading State and local preparedness and response capacity. The January 2009 *Assessment of States' Operating Plans to Combat Pandemic Influenza: Report to the Homeland Security Council*, submitted by former HHS Secretary Michael O. Leavitt and former DHS Secretary Michael Chertoff, identified significant pandemic planning gaps at State and local levels. These gaps include: ensuring continuity of public health functions, particularly in the event of staff shortages due to illness and disruptions in support services that an influenza pandemic may produce; developing effective and efficient community mitigation strategies; accommodating surge in healthcare demand and fatalities; and, integrating emergency medical services systems into pandemic preparedness plans. Furthermore, according to reports from State and local public health officials, the public health infrastructure at State and local levels has been challenged by the economic downturn with an estimated 11,000 public health job losses over the past year due to State revenue shortfalls. These funds will be used to support the State and local infrastructure that is critical to preparedness and response, such as workforce, laboratory capacity, disease surveillance activities, public communications, and community mitigation guidance, and to address other remaining preparedness challenges.

The Committee commends CDC's response to the outbreaks in Mexico and the U.S., but is aware of reports that CDC did not recognize the initial H1N1 outbreaks quickly enough. Moreover, concerns have been raised about whether suspected case samples from other countries are processed by CDC expeditiously. The Committee requests that the Secretary of HHS, together with the Director of the CDC, examine HHS' response to the early stages of the H1N1 outbreak in Mexico and the laboratory confirmation process to ascertain whether improvements are needed in its current disease detection policies and procedures. HHS should submit a report to the Committees on Appropriations of the House of Representa-

tives and the Senate no later than 90 days after the enactment of this Act.

The Committee directs the Secretary of HHS to provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate updating the status of actions taken and funds obligated in this and previous appropriations bills for pandemic influenza preparedness activities. These reports should be provided no later than 15 days after the end of each month. Further, the Secretary shall include appropriations provided in this Act when preparing the semi-annual report to Congress on influenza pandemic preparedness spending.

GENERAL PROVISION, THIS CHAPTER

The Committee recommendation includes the following general provision for this chapter:

Section 20701 includes a technical correction to the Omnibus Appropriations Act, 2009 (Public Law 111–8) to permit payment of increased bonus payments to States for foster care children adoptions as authorized under the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110–351).

CHAPTER 8—LEGISLATIVE BRANCH

CAPITOL POLICE

GENERAL EXPENSES

The Committee recommendation includes $71,606,000 for the U. S. Capitol Police to acquire a modernized digital radio system. This is the same amount included in the President's submission to Congress and requested by the Chief of Police in his letter to the Committee dated March 17, 2009. The current USCP radio system is over 25 years old and is degrading rapidly. In addition, this system is not encrypted and is therefore inadequate given the known security threats to the Congress. The Committee also notes that this new radio system has been in development for several years. The current system design and the cost estimates have been refined with the help of the Government Accountability Office (GAO) and the Committee's own investigative staff.

The bill includes language which requires the Chief of Police to submit obligation plans to the House and Senate Committees on Appropriations prior to obligating any of these funds. The final obligation plan should include a firm cost estimate as well as details regarding the procurement strategy to be employed by the USCP in acquiring the new system. The Chief has previously testified that the procurement system will award funding through a fair and competitive process open to all potential bidders. The Naval System Command's NAVAIR unit, which has substantial experience with large communication projects, will assist the USCP in management of this project.

The Committee is appreciative of the assistance provided by the GAO to the Capitol Police in the design of the new radio system. To ensure the project is executed as successfully as possible, the Committee requests that GAO continue to monitor the progress of this project on the Committee's behalf, and, as needed, provide technical assistance to USCP in carrying out its responsibilities.

GAO support should include overseeing NAVAIR's efforts and identifying any significant issues or risks that could prevent the acquired radio system from meeting the operational needs of the department within its estimated cost and schedule.

CHAPTER 9—MILITARY CONSTRUCTION

DEPARTMENT OF DEFENSE

Update to Grow the Army Stationing Plan.—The Secretary of Defense announced on April 6, 2009 that the Army would halt the planned increase in the number of active Army brigade combat teams (BCTs) at 45, versus the 48 end-state BCTs envisioned in the Grow the Army stationing plan released in December 2007, while still increasing end-strength to the planned target of 547,000. This decision renders the December 2007 plan obsolete and likely will have a major impact on the Army's military construction program. The Committee therefore directs the Army to provide the Committees on Appropriations of both Houses of Congress with a full update of the December 2007 plan, using the same format as the original, no later than July 31, 2009. The Committee additionally directs the Army to report to the same committees on any previously appropriated military construction or family housing projects that are no longer necessary or are reduced in scope as a result of the decision announced by the Secretary no later than May 22, 2009.

Report on Compliance with Codes and Specifications.—The Committee is concerned by reports of faulty and sometimes life-threatening work performed on facilities used by U.S. forces in Iraq and Afghanistan. The Committee directs the Army to report to the Committees on Appropriations of both Houses of Congress on the application of U.S. building codes and specifications to military construction projects overseen by the Gulf Region Division of the Army Corps of Engineers, and how such application compares to construction performed under LOGCAP or work performed on existing facilities used by U.S. forces. This report shall describe the specific basis of the codes, specifications, and safety standards used, the procedures by which projects are inspected and certified, and the means of enforcing contractor compliance. This report shall be submitted no later than September 30, 2009.

Counter IED Roads in Afghanistan.—Beginning with fiscal year 2007, Congress has appropriated approximately $440,000,000 in military construction funds for road construction projects to reduce both the incidence and lethality of improvised explosive device (IED) attacks in Afghanistan. The justification material submitted with the request states that asphalt roads are credited with a reduction of IED placement of up to 90 percent. In House Report 110–60, the Committee directed U.S. Central Command (CENTCOM) to provide a detailed assessment of the effectiveness of asphalt roads to counter IEDs no later than October 1, 2009. The Committee reaffirms the importance of this report, which may be submitted in classified form, and directs CENTCOM to provide this report by the specified date.

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

The Committee recommends $1,407,231,000 for Military Construction, Army instead of $1,229,731,000 as requested by the Administration. The Committee also recommends a rescission of $142,500,000 from a prior year appropriation due to the cancellation of military construction projects in Iraq. The funds are provided as follows:

Location	Project description	Request ($000)	Recommendation ($000)
CO: Fort Carson	Child Development Center	11,200	11,200
CO: Fort Carson	Child Development Center	11,500	11,500
KY: Fort Knox	CDC Connector	1,100	1,100
NC: Fort Bragg	Warrior in Transition Complex	88,000	88,000
TX: Fort Bliss	Child Development Center (additional funds)	4,700	4,700
TX: Fort Bliss	Child Development Center (additional funds)	3,900	3,900
TX: Fort Bliss	Child Development Center (additional funds)	4,700	4,700
TX: Fort Bliss	Child Development Center	14,200	14,200
TX: Fort Hood	Warrior in Transition Complex	64,000	64,000
TX: Fort Sam Houston	Warrior in Transition Complex	87,000	87,000
VA: Fort Belvoir	Warrior in Transition Complex	76,000	76,000
WA: Fort Lewis	Warrior in Transition Complex	110,000	110,000
Afghanistan: Airborne	Troop Housing, Phase 1 of 4	5,600	5,600
Afghanistan: Airborne	Troop Housing, Phase 2–4	–	16,800
Afghanistan: Altimur	Troop Housing	3,500	3,500
Afghanistan: Bagram AB	SOF Alpha Ramp Facilities	10,800	10,800
Afghanistan: Bagram AB	Power Plant Expansion	33,000	33,000
Afghanistan: Bagram AB	Drainage System, Phase 1	18,500	–
Afghanistan: Bagram AB	Troop Housing, Phase 2 of 4	20,000	20,000
Afghanistan: Bagram AB	Troop Housing, Phase 3–4	–	40,000
Afghanistan: Garmsir	Medical Facility	2,000	2,000
Afghanistan: Helmand	Brigade Headquarters	7,800	7,800
Afghanistan: Joyce	Troop Housing, Phase 1 of 4	5,200	5,200
Afghanistan: Joyce	Troop Housing, Phase 2–4	–	15,600
Afghanistan: Kandahar	Troop Housing, Phase 1 of 3	8,700	8,700
Afghanistan: Kandahar	Troop Housing, Phase 2–3	–	17,400
Afghanistan: Kandahar	South Park Drainage, Phase 1	16,500	16,500
Afghanistan: Kandahar	Utilities, Phase 1	27,000	27,000
Afghanistan: Kandahar	Medical Facility	1,950	1,950
Afghanistan: Kandahar	Rotary Wing Ramps and Taxiway, Phase 2	49,000	49,000
Afghanistan: Kandahar	Command & Control Headquarters Facility	23,000	23,000
Afghanistan: Maywand	Troop Housing, Phase 1 of 4	10,800	10,800
Afghanistan: Maywand	Troop Housing, Phase 2–4	–	32,400
Afghanistan: Maywand	Rotary Wing Ramps and Taxiway, Phase 1	26,000	26,000
Afghanistan: Maywand	Fuel Distribution System	8,000	8,000
Afghanistan: Shank	Fuel Distribution System	8,000	8,000
Afghanistan: Shank	Troop Housing, Phase 1 of 4	7,800	7,800
Afghanistan: Shank	Troop Housing, Phase 2–4	–	23,400
Afghanistan: Shank	Aviation Hangar & Maintenance Facilities	11,200	11,200
Afghanistan: Shank	Brigade Headquarters	7,800	7,800
Afghanistan: Shank	Rotary Wing Ramps and Taxiways, Phase 2	24,000	24,000
Afghanistan: Sharana	Aviation Hangar & Maintenance Facilities	11,200	11,200
Afghanistan: Sharana	Rotary Wing Ramps and Taxiways, Phase 1	39,000	39,000
Afghanistan: Sharana	Rotary Wing Ramps and Taxiways, Phase 2	29,000	29,000
Afghanistan: Tarin Kowt	Rotary Wing Ramps and Taxiways, Phase 1	26,000	26,000
Afghanistan: Tarin Kowt	Fuel Distribution System	8,000	8,000
Afghanistan: Tombstone/Bastion	Role 2 Medical Facility	4,200	4,200
Afghanistan: Tombstone/Bastion	Troop Housing, Phase 1 of 4	8,700	8,700
Afghanistan: Tombstone/Bastion	Troop Housing, Phase 2–4	–	26,100
Afghanistan: Tombstone/Bastion	Troop Housing, Phase 2 of 5	5,200	5,200
Afghanistan: Tombstone/Bastion	Troop Housing, Phase 3–5	–	15,600
Afghanistan: Tombstone/Bastion	Rotary Wing Ramps and Taxiways, Phase 2	49,000	49,000
Afghanistan: Tombstone/Bastion	Aviation Hangar & Maintenance Facilities	11,200	11,200
Afghanistan: Tombstone/Bastion	Brigade Headquarters	7,800	7,800

Location	Project description	Request ($000)	Recommendation ($000)
Afghanistan: Tombstone/Bastion	Fuel Distribution System	8,000	8,000
Afghanistan: Wolverine	Troop Housing, Phase 1 of 4	8,900	8,900
Afghanistan: Wolverine	Troop Housing, Phase 2–4	–	26,700
Afghanistan: Various Locations	CIED Road, Kapisa Supply Route	68,000	63,000
Germany: Ansbach	Child Development Center (Storck Barracks)	9,800	9,800
Germany: Ansbach	Child Development Center (Katterbach)	13,300	13,300
Germany: Landstuhl	Child Youth Services Center	5,500	5,500
Italy: Vicenza	Child Youth Services Center	12,000	12,000
Netherlands: Schinnen	Child Development Center (Emma Mine)	11,400	11,400
Worldwide: Unspecified	Planning and Design	81,081	68,081
	Total	1,229,731	1,407,231

Troop Housing, Afghanistan.—The Administration requested $84,400,000 to provide site preparation and foundations for containerized troop housing at various locations in Afghanistan. In nearly all cases, the funds requested do not provide the full amount of the projected housing requirement, but only fund the initial phase. The Committee is concerned that this approach will result in an inadequate and inequitable distribution of temporary housing facilities. The Committee has therefore included an additional $214,000,000 to provide the full cost of the projected need.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The Committee recommends $235,881,000 for Military Construction, Navy and Marine Corps instead of $239,031,000 as requested by the Administration. The funds are provided as follows:

Location	Project description	Request ($000)	Recommendation ($000)
CA: Camp Pendleton	Child Development Center	15,420	15,420
CA: Camp Pendleton	Marine Resource and Recovery Center	24,990	24,990
CA: Camp Pendleton	Wounded Warrior Battalion HQ	9,900	9,900
DC: Washington Navy Yard	Child Development Center	9,340	9,340
HI: Pearl Harbor NS	Child Development Center	32,280	32,280
MD: Annapolis NSA	Child Development Center Expansion	9,720	9,720
MD: Patuxent River NAS	Child Development Center	13,150	13,150
MD: Patuxent River NAS	Child Development Center Addition	3,850	3,850
NC: Camp Lejeune	Child Development Center	13,970	13,970
NC: Camp Lejeune	Marine Resource and Recovery Center	24,960	24,960
NC: Camp Lejeune	Wounded Warrior Battalion HQ	3,601	3,601
NC: New River MCAS	Child Development Center Addition	2,670	2,670
SC: Parris Island MCRD	Child Development Center	14,670	14,670
VA: Little Creek NAB	Child Development Center	15,360	15,360
VA: Quantico MCB	Child Development Center	17,440	17,440
WA: Whidbey Island NAS	Child Development Center	13,560	13,560
Worldwide: Unspecified	Planning and Design	14,150	11,000
	Total	239,031	235,881

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

The Committee recommends $279,120,000 for Military Construction, Air Force instead of $280,970,000 as requested by the Administration. The Committee also recommends a rescission of $30,000,000 from a prior year appropriation due to the cancellation of a military construction project in Iraq. The funds are provided as follows:

Location	Project description	Request ($000)	Recommendation ($000)
Afghanistan: Bagram AB	CAS Apron	32,000	32,000
Afghanistan: Kandahar	Strategic Airlift Apron	84,000	84,000
Afghanistan: Tarin Kowt	Airlift Apron	9,400	9,400
Afghanistan: Tarin Kowt	Runway	18,500	18,500
Afghanistan: Tombstone/Bastion	CAS Apron	43,000	43,000
Afghanistan Tombstone/Bastion	Fuels Operation & Storage	2,250	2,250
Afghanistan: Tombstone/Bastion	Expand Munitions Storage Area	51,000	51,000
Germany: Spangdahlem AB	Child Development Center	11,400	11,400
Qatar: Al Udeid AB	Temporary West Munitions Storage Area	15,500	15,500
Worldwide: Unspecified	Planning and Design	13,920	12,070
	Total	280,970	279,120

MILITARY CONSTRUCTION, DEFENSE-WIDE

The Committee recommends a total of $1,086,968,000 for Military Construction, Defense-Wide. Within this total, the Committee provides $30,000,000 for a National Security Agency (NSA) data center at Camp Williams, instead of $181,500,000 as requested by the Administration. The Committee is concerned that this unauthorized project, which was proposed only after the Office of Management and Budget recently rejected the original leased facility plan, has not been fully scoped. The funds requested are only a small portion of the current estimated cost of the project, which is $1,781,000,000. It is unwise to commit taxpayer funds to construction of a project of this magnitude without further review and consultation, and therefore the Committee recommends funding for the planning and design of this project only. The Committee directs NSA to seek funds for the construction of this facility through the regular military construction authorization and appropriation process.

Within the total, the Committee also recommends $1,056,968,000 for military hospital construction. The Committee remains concerned about the large backlog of recapitalization of medical treatment facilities across the Department of Defense. Several hospitals are decades old and do not meet current standards for medical care. Along with the funds provided for child care facilities and warrior transition programs in this bill, these funds will further the Committee's commitment to maintaining a high quality of life for the Armed Forces. The bill includes language requiring the Secretary of Defense to submit an expenditure plan for these funds no later than 30 days after the enactment of this Act.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

The Committee recommends $100,000,000 for the North Atlantic Treaty Organization Security Investment Program as requested by the Administration.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The Committee recommends $263,300,000 for Department of Defense Base Closure Account 2005 as requested by the Administration. The amount provided fully funds the Administration's request

to expedite medical facility construction at Bethesda and Fort Belvoir and provide enhancements at Bethesda.

GENERAL PROVISIONS, THIS CHAPTER

The Committee does not recommend a provision proposed by the Administration to amend section 2805 of title 10, United States Code, to increase the spending limit on the use of operation and maintenance funds for unspecified minor construction.

The Committee does not recommend a provision proposed by the Administration to amend section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 to allow the Department to exceed the fiscal year 2009 limitation on use of contingency construction authority.

CHAPTER 10—STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

INTRODUCTION

The Committee recommendation provides for Department of State and Foreign Operations a total of $9,870,466,000, which is $3,022,322,000 above the request.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The Committee recommendation includes $1,016,215,000 for Diplomatic and Consular Programs, to support operations and security requirements for Afghanistan, Pakistan, and Iraq; and to address increased requirements for global activities, which is $421,900,000 above the request. Within the amount provided, $403,983,000 is for worldwide security protection. Funds made available under the heading are to be allocated as follows and are subject to the terms and conditions of section 21002 (a) and (b) concerning allocations and notifications:

DIPLOMATIC AND CONSULAR PROGRAMS

[Budget authority in thousands of dollars]

Activity	Subtotal, FY2009	Supplemental request	Committee recommendation
Afghanistan			
Operations (State)	72,656	123,900	169,800
Worldwide Security Protection	194,444	101,545	121,545
Operations (Other Agencies)	0	137,600	157,600
Subtotal, Afghanistan	267,100	363,045	448,945
Pakistan			
Operations	18,134	36,462	36,462
Worldwide Security Protection	31,625	9,078	9,078
Subtotal, Pakistan	49,759	45,540	45,540
Iraq			
Operations	866,632	120,000	220,000
Worldwide Security Protection	767,050	30,000	266,000
Subtotal, Iraq	1,633,682	150,000	486,000

DIPLOMATIC AND CONSULAR PROGRAMS—Continued

[Budget authority in thousands of dollars]

Activity	Subtotal, FY2009	Supplemental request	Committee recommendation
Global			
Operations	0	28,370	28,370
Worldwide Security Protection	1,117,000	7,360	7,360
Subtotal, D&CP	1,117,000	35,730	35,730
TOTAL, Diplomatic and Consular Programs	3,067,541	594,315	1,016,215
Subtotal, Operations	957,422	446,332	612,632
Subtotal, Worldwide Security Protection	2,110,119	147,983	403,983

Afghanistan.—The recommendation includes $448,945,000 for the diplomatic and security operations in Afghanistan, which is $85,900,000 above the request. Within the total, $121,545,000 is for worldwide security protection.

Within the $169,800,000 provided for operations is funding to support the ongoing civilian staffing surge in Afghanistan, including the requested 170 additional United States direct-hire personnel in Kabul; 251 new temporary federal appointments for expanded Provincial Reconstruction Teams (PRTs) and other regional/provincial engagement teams; and 106 locally engaged staff to augment Mission personnel in Kabul and at the provincial and local levels. Funds also will be used to provide essential life support services, annualize staffing costs supported through the fiscal year 2008 supplemental, and cover travel and training expenses for Embassy and PRT personnel.

In addition, the recommendation for operations includes $33,000,000, which is $10,900,000 above the request, for enhancing the Mission's Public Diplomacy efforts in seven key Afghanistan provinces and Kabul. The funds provided will support at least 10 new American direct-hire positions. Specific projects include establishing up to 10 American Corners and 10 Internet Access Training Programs; training of Afghan media staff; outreach/media tours; English language training programs; University Journalism programs; Provincial level public diplomacy grants; and the development of linkages between universities in Afghanistan and the United States.

The Committee understands that research shows that radio is the dominant medium for news in the Afghanistan-Pakistan border region and that, with the exception of Voice of America's (VOA) Radio Deewa and a few other international broadcasters, much of the radio broadcasting to this region is done by extremists. For this reason, the Committee recommendation includes $10,900,000 above the request for public diplomacy activities in Afghanistan for the purpose of expanding radio broadcasting to this critical region. The Committee also includes language directing the transfer of the funds to the "International Broadcasting Operations" account of the Broadcasting Board of Governors. The Committee intends the funds to be used to expand radio Deewa's daily broadcasts from six to nine hours and to launch a six hour Radio Free Europe/Radio Liberty (RFE/RL) Azadi Deewa program stream. Funds may also be used to establish capacity to send headlines and breaking news to listeners via mobile phones and to enhance security for RFE/RL's Kabul bureau.

The recommendation for Afghanistan operations also includes sufficient funding for operation and maintenance of the aviation support program for embassy and PRT personnel that was initiated last year with funds made available in the Supplemental Appropriations Act, 2008 (Public Law 110–252).

Within the $121,545,000 provided for worldwide security protection in Afghanistan, the recommendation includes the amounts requested for the security requirements for opening a Regional Embassy Office in Herat, including physical security, a guard force, protective details, and a quick reaction force team; additional staff to support the increased number of PRT and Embassy mission personnel; additional Security Protective Specialists to provide for direct oversight of private security contractors; physical security upgrades in Kabul and at PRT sites; and the training and administrative support necessary to accommodate the increased number of personnel being sent to Afghanistan. This training is mandatory for all personnel in Afghanistan and Pakistan.

The Committee urges that priority be given to hiring the new agents and Security Protective Specialists needed to provide oversight of contract security personnel in Afghanistan. The Committee believes that establishing clear operational procedures for, and providing rigorous oversight of, private security contractors is essential to ensuring safe and effective security operations in Afghanistan.

Finally, the recommendation includes $157,600,000, and authority for the Secretary of State to transfer funds to other United States Government agencies, for a surge in civilian experts in the areas of agriculture, justice (including drug enforcement), customs and border management, health, finance, and aviation. These funds will support an estimated 59 existing personnel, initially funded in the fiscal year 2008 emergency supplemental, and up to 73 new positions in Afghanistan in order to further the Mission's civilian capacity and facilitate operations to stabilize communities at the provincial level and strengthen the Government of Afghanistan.

The Committee expects that with respect to the interagency funds described above, the spending plan required in section 21003 of this chapter will be developed in consultation with the heads of the relevant federal agencies. The Committee further expects that priority in the allocation of these funds will be given to those agencies and activities with existing personnel in Afghanistan. The recommendation includes $20,000,000 above the request in order to ensure that the Department of State has sufficient resources into fiscal year 2010 to support these personnel and activities.

Pakistan.—The Committee recommendation includes $45,540,000 for the diplomatic and security operations in Pakistan, which is the same as the request. Within the total for Pakistan, $9,078,000 is for worldwide security protection.

Of the amount provided, $36,462,000 is for diplomatic operations in Pakistan, including $5,562,000 to hire additional locally engaged staff; annualize new staff supported through the fiscal year 2008 supplemental; and support increased travel and training expenses. Also, $30,900,000 is provided to enhance Public Diplomacy efforts in Pakistan to counter violent extremism and expand the Mission's engagement with the Pakistani people. In addition to supporting four new public diplomacy positions, the funds will be used to ex-

pand English language programs, enhance communications and journalism training, support book translation, increase television and radio programming targeted to youth, and augment support of moderate local programs and organizations.

The Committee recommendation also includes an estimated $9,078,000 for worldwide security protection to protect civilian diplomatic and development personnel from the growing security threats in Pakistan. Within the amount provided, $3,200,000 is for expanded requirements for ongoing operations in Islamabad, Peshawar, Karachi, and Lahore; and $5,878,000 is for the support of two protective security teams in Peshawar, including salary, training, equipment, travel and insurance costs.

Iraq.—The Committee recommendation includes $486,000,000 for the diplomatic and security operations of the United States Mission in Iraq, which is $336,000,000 above the request. Within the total, an estimated $220,000,000 is for worldwide security protection. The recommendation includes sufficient funds to cover diplomatic operations in Iraq at least through the first quarter of 2010 in order to facilitate support for operations as the Mission transitions both to an annualized funding cycle and to a more regular diplomatic and development program. The funding provided is for the civilian Mission basic operations, logistics and other support activities, security requirements, and PRT operations.

The Committee understands that a substantial portion of the funds requested are for anticipated lease costs of facilities supporting the United States Mission in Iraq. The Committee requests that the Secretary of State prepare and submit to the Committees on Appropriations a report on the facilities lease plan not later than 90 days after enactment of this Act. The report should include a description of the facilities to be leased, a justification of the lease requirement or purpose, and the annual cost and duration of each lease.

On January 23, 2009, the Government of Iraq announced that they would not issue a new operating license to one of the three vendors providing security services in Iraq. Therefore, a portion of the funds available for worldwide security protection are for costs associated with transitioning the current Worldwide Personal Protective Service (WPPS) Baghdad and Al-Hillah task orders to new vendors. Funds also will be used to meet the increased security force costs and complete physical security upgrades due to the International Zone transition in Baghdad.

Global Operations.—The Committee recommendation includes $28,370,000 for ongoing operations of the Department of State, which is the same as the request. Included is: $7,270,000 for the Office of the Coordinator for Counterterrorism; and $8,500,000 for support of expanded diplomatic activities, including of the new Deputy Secretary of State for Resources and Management, the Special Representative to Afghanistan and Pakistan, the Special Envoy to the Middle East, the Special Envoy for Climate Change, the Special Envoy for North Korea, the United States Ambassador to the United Nations, the envoy to the international Somali peacekeeping and development meeting and activities associated with the International Contact Group on Piracy. Funds will support 65 domestic positions, including information technology and communications equipment.

The Department of State shall provide an annual report to the Committees on Appropriations accounting for the staff positions and resources dedicated to supporting special envoys, special representatives, coordinators, and similar positions. Any transfer of these positions to other bureaus and offices, or any reorganization affecting these positions, shall be subject to the regular notification procedures of the Committees on Appropriations.

Finally, $7,360,000 is included within funds available for worldwide security protection for the Life Safety program. Funds will support personnel, equipment, travel and software necessary for the protection of diplomatic security personnel and the conduct of counterinsurgency actions in Afghanistan and Pakistan.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The Committee recommendation includes $17,123,000 for Office of Inspector General, which is $9,922,000 above the request. Language is included transferring $7,201,000 to the Special Inspector General for Afghanistan Reconstruction (SIGAR) to augment the SIGAR's oversight capabilities, as requested.

With these additional funds, the total available to the SIGAR in fiscal year 2009 is $23,201,000. Within the amount provided for SIGAR, $4,300,000 is for personnel compensation for an additional 31 professional positions and nine locally employed staff; $2,200,000 is for travel and transportation, including housing costs and Capital Security Cost Sharing (ICASS) charges for 25 staff at Embassy Kabul; and $700,000 is for other rent, communications, utilities expenses, and contractual services. The recommendation also includes language extending to the SIGAR the temporary hiring authority of section 3161 of title 5 of the United States Code. This authority has been utilized extensively by both the Department of State and the Special Inspector General for Iraq Reconstruction.

The recommendation also includes $9,922,000 to continue and augment the oversight activities of the Office of Inspector General in the Middle East and South Asia regions. In addition, section 21004 of this chapter transfers $1,000,000 from funds made available under the "Economic Support Fund" heading to the Office of Inspector General for oversight of activities in the West Bank, Gaza and the surrounding region. The Committee expects that priority in the allocation of the additional funds be given to expanding oversight of activities in Pakistan.

The Committee recommendation includes significant new operations and assistance funding for Afghanistan and Pakistan, both of which are challenging areas to conduct diplomatic and development activities. For this reason, and in addition to the funding in this chapter for the various Inspectors General, language is included under the heading requiring the Inspector General of the United States Department of State and the Broadcasting Board of Governors, the Special Inspector General for Iraq Reconstruction, the SIGAR, and the Inspector General of the United States Agency for International Development (USAID) to continue to coordinate and integrate the programming of funds made available in fiscal year 2009 for oversight of programs in Afghanistan, Pakistan and

Iraq. The language also directs the Secretary of State to submit to the Committees on Appropriations, not later than 30 days after completion, the annual comprehensive audit plan for Southwest Asia developed by the Southwest Asia Joint Planning Group in accordance with section 842 of Public Law 110–181.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The bill includes $989,628,000 for urgent embassy security, construction, and maintenance costs, which is $90,900,000 above the request.

The Committee understands the importance of providing safe and secure facilities for civilian diplomatic and development personnel to live and work. This is especially important in high threat environments, such as Afghanistan and Pakistan. The Committee has an obligation to take all reasonable steps to protect civilian employees who are posted to these high threat areas, including the replacement of unsafe, unsecure, and outdated diplomatic facilities.

For this reason, the Committee recommendation includes the full amount requested for the projects in Afghanistan and Pakistan. The Committee urges the Department of State to ensure that both office and housing plans accommodate the surge in civilian personnel under the recently announced strategy for Afghanistan and Pakistan. The Committee is concerned that current plans may not take into account fully the facilities requirements of the President's revised strategy for the region. The Committee notes that failure to adjust to changing staffing requirements in Iraq, led to costly modifications to the New Embassy Compound (NEC) in Baghdad and does not want to see this pattern repeated. The Committee directs that the Secretary of State ensure that the spending plan required in section 21003 include detailed information about facilities plans in Afghanistan and Pakistan and how the plans are integrated into the current and long-term staffing strategy.

The funds made available under the heading for Afghanistan and Pakistan are to be allocated as follows and are subject to the terms and conditions of section 21002(a) and (b) concerning allocations and notifications:

EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE

[Budget authority in thousands of dollars]

Country/city	Subtotal FY2009	FY2009 Supplemental request	Committee recommendation
Afghanistan			
Housing	41,300	0	0
Office Annex Building	156,300	0	0
Land Acquisition and SMDP	0	87,028	87,028
Total, Afghanistan	197,600	87,028	87,028
Pakistan, Islamabad			
Land Acquisition and SMDP	47,000	0	0
Permanent Housing	0	161,500	161,500
New Office Building, NOB/Chancery	0	405,000	405,000
New Office Annex, NOX	0	111,000	111,000
Marine Security Guard Quarters, MSGQ	0	5,000	5,000
General Service Office, GSO Building	0	18,000	18,000
TDY Quarters	0	36,000	36,000
Subtotal, Islamabad	47,000	736,500	736,500

EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE—Continued

[Budget authority in thousands of dollars]

Country/city	Subtotal FY2009	FY2009 Supplemental request	Committee recommendation
Pakistan, Peshawar			
Land Acquisition, NOB	49,000	0	0
Housing and Unclassified Operations	0	40,100	40,100
Office Space	0	0	90,900
Subtotal, Peshawar	49,000	40,100	131,000
Pakistan, Lahore			
Land Acquisition	0	29,600	29,600
Subtotal, Lahore	0	29,600	29,600
Global			
Mobile Mail Screening Units	0	5,500	5,500
Total, ESCM	293,600	898,728	989,628

Afghanistan.—The Committee recommendation includes $87,028,000 for the acquisition of a 30 to 40 acre site adjacent to the Kabul Embassy compound, which is the same as the request.

Currently, there are 394 occupants in both permanent and temporary housing in Kabul. The request for property acquisition is part of a multi-year construction program to provide safe and secure work environments and housing for a projected 616 diplomatic and development personnel in Kabul. The Committee believes that the challenging security situation in Afghanistan warrants the provision of these funds at this time.

Pakistan.—The Committee recommendation includes $897,100,000 for the renovation and construction of facilities in Pakistan, which is $90,900,000 above the request. Due to the deteriorating security environment in Pakistan, the Committee concurs in the request for a major upgrade of facilities in Islamabad, Peshawar, and Lahore.

For Islamabad, the recommendation includes $736,500,000 for the renovation/replacement of the existing chancery (New Office Building) to accommodate approximately 645 personnel; $111,000,000 for the construction of a new annex to accommodate an estimated 330 personnel; $108,000,000 for an estimated 156 units of permanent NEC housing; and $112,500,000 for construction of temporary duty quarters, United States Marine Corps security barracks, and general office facilities.

For Peshawar, the recommendation includes $131,000,000 for the renovation and construction of a NEC, including onsite housing, which is $90,900,000 above the request. In addition, the Committee understands that the Department of State plans to use $49,000,000 of the funds made available under this heading in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8) for the land acquisition for the Peshawar NEC. Currently, housing and office facilities in Peshawar are separate and diplomatic and development personnel have to commute to work each day in an increasingly unsafe environment. The Committee recommendation is sufficient to fully fund both phases I and II of the project, which will combine housing and office space at the same secure site. Having all funding upfront should expedite completion of all work on this project, thereby

shortening the time it will take for providing safe and secure facilities for diplomatic and development staff.

For Lahore, the recommendation includes $29,600,000 for the acquisition, mitigation, and development of sites for the future construction of new consulate facilities.

Global Activities.—The Committee recommendation includes $5,500,000 for the deployment of additional mail screening units to protect United States Government employees at various high risk diplomatic posts. These are stand-alone, removable specially equipped facilities, located near compound perimeters and close to the entrance of local mail. To date, 114 mobile screening units have been deployed worldwide. The Department of State estimates the additional funds will enable the deployment of another 73 units at high threat posts.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The Committee recommendation includes $836,900,000 for Contributions for International Peacekeeping Activities (CIPA), which is the same as the request. The Committee directs that none of the funding provided is intended to be used for so called "Pre-Helms/Biden" related arrears. The Committee directs that to the maximum extent possible the Department of State should use the additional resources provided to pay down most urgent arrearages and mission shortfalls. The Committee urges the Department of State to give priority funding consideration for the United Nations peacekeeping mission in Central African Republic and Chad (MINURCAT) and the United Nations Mission in the Democratic Republic of the Congo (MONUC) during allocation of resources.

The Committee has not included transfer language requested by the Administration for support of a logistics package for the African Union Mission in Somalia (AMISOM). The Committee does not support the transfer of funds from treaty-based United Nations peacekeeping missions funded within the CIPA account to the voluntary peacekeeping activities funded in the Peacekeeping Operations (PKO) account. The Committee has included additional resources in PKO for AMISOM.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

The Committee recommendation includes $152,600,000 for Operating Expenses, which is the same as the request. Of the total, $140,000,000 is for Afghanistan operations; $7,600,000 is for Pakistan operations; and $5,000,000 is for West Bank and Gaza operations. This funding is intended to support the civilian surge capacity that is needed to implement additional programs, and security requirements for these efforts.

CAPITAL INVESTMENT FUND

The Committee recommendation includes $48,500,000 for Capital Investment Fund, which is the same as the request. Of the total, not more than $19,870,000 is for ICASS charges; and $10,200,000 is for the establishment of the Enterprise Disaster Recovery project.

In addition, $18,430,000 is provided to support office needs related to the staffing increases supported through the Development Leadership Initiative. The Committee has prioritized increased staffing for USAID. This funding is intended to begin efforts to provide adequate office space in Ethiopia, Nigeria, Thailand, Jordan, Peru, and El Salvador for new employees. USAID is directed to provide a spending plan to the Committees on Appropriations prior to obligation of these funds.

OFFICE OF INSPECTOR GENERAL

The Committee recommendation includes $3,500,000 for Office of Inspector General, which is $3,500,000 above the request. These funds are intended to support increased program oversight in Afghanistan and Pakistan. In addition, language included under the "Economic Support Fund" heading transfers $2,000,000 to the Office of Inspector General for oversight of USAID activities in the West Bank and Gaza.

The Committee recommendation includes significant new operations and assistance funding for Afghanistan and Pakistan, both of which are challenging areas to conduct diplomatic and development activities. For this reason, the Committee directs the USAID Inspector General to work with the Inspector General of the United States Department of State and the Broadcasting Board of Governors, the Special Inspector General for Iraq Reconstruction, and the SIGAR to coordinate and integrate the programming of funds made available in fiscal year 2009 for oversight of programs in Afghanistan, Pakistan and Iraq.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH AND CHILD SURVIVAL

The Committee recommendation includes $300,000,000 for Global Health and Child Survival, which is $300,000,000 above the request.

Of the total, $200,000,000 is provided to support global efforts to track, contain, and slow the spread of the H1N1 virus in developing countries. It is critical that the United States Government response not only address immediate issues domestically, but it should also include efforts to slow the outbreaks where they are occurring. These funds should be used to monitor and trace the virus in developing countries, support provision of medications to treat viral infections as well as secondary bacterial infections, inform the general public about the risk associated with the virus, implement vaccination programs, and expand hospital infection control programs in countries most impacted by the virus. The Committee expects to

be consulted before the spending plan required by section 21003 of this chapter is finalized.

The Committee recommendation also includes language providing authority to the President to use funding under the "Global Health and Child Survival", "Development Assistance", "Economic Support Fund", and "Millennium Challenge Corporation" headings to combat a H1N1 influenza pandemic, if he determines that the human-to-human transmission of the H1N1 influenza virus is efficient and sustained, and is spreading internationally. This is the highest threat level of the World Health Organization's Global Influenza Preparedness Plan. The Office of Management and Budget should request reimbursement of any funds used from these accounts in the event that the President exercises this authority.

Additionally, $100,000,000 is provided for an additional United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, which is $100,000,000 above the request. This additional funding shall be used to fill any 2009 shortfall.

INTERNATIONAL DISASTER ASSISTANCE

The Committee recommendation includes $200,000,000 for International Disaster Assistance, which is the same as the request. These additional funds are needed to respond to increased insecurity, armed conflict and weather complications in Africa, including Somalia, Ethiopia, the Democratic Republic of the Congo, and Zimbabwe. Funds also will help address growing needs in the Middle East, and Central and South Asia, particularly Pakistan, Tajikistan, and Kyrgyzstan.

The Committee remains concerned about restrictions on humanitarian space in Somalia and limited humanitarian access to those most in need. The Administration should work with regional partners to ensure safe access for humanitarian operations.

The Committee notes its concern over the loss of life and the limited humanitarian assistance provided for civilians affected by the conflict in Sri Lanka. The Committee urges the Secretary of State to continue to press the Government of Sri Lanka to comply with international humanitarian law and allow full humanitarian access by humanitarian assistance and independent monitors—including journalists—in both the no-fire zones and internally displaced persons camps. The Committee urges USAID and the Department of State to ensure the provision of humanitarian assistance to those displaced in Sri Lanka. In addition, the Committee encourages the Secretary of State to support, through other relevant assistance accounts, programs that increase and integrate the participation of Tamils in Sri Lankan society and foster reconciliation between ethnic Tamil and Sinhalese communities.

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

The Committee recommendation includes $2,907,500,000 for Economic Support Fund, which is $33,000,000 above the request. Funds made available under the heading are to be allocated as follows and are subject to the terms and conditions of section 21002 (a) and (b) concerning allocations and notifications:

ECONOMIC SUPPORT FUND

[Budget authority in thousands of dollars]

Country	Subtotal, FY2009	Supplemental request	Committee recommendation
Africa			
Kenya[1]	25,000	.....	18,000
Somalia	20,250	.....	10,000
Sudan	253,550	.....	15,000
Zimbabwe	41,000	45,000	28,000
East Asia and Pacific			
Burma	20,300	13,000	13,000
North Korea	15,000	95,000	0
Near East			
Iraq	102,500	449,000	449,000
Egypt	200,000	.....	50,000
Jordan	363,547	.....	100,000
West Bank and Gaza	225,000	556,000	556,000
South and Central Asia			
Afghanistan	1,187,000	839,000	839,000
Pakistan	575,000	429,500	529,500
Other			
Countries Impacted by the Global Financial Crisis	.....	448,000	300,000
TOTAL	3,028,147	2,874,500	2,907,500

[1] Funding of $38,000,000 for Kenya was requested under the ''Development Assistance'' heading.

Africa

Kenya.—The Committee recommendation includes $18,000,000 for Kenya, which is $20,000,000 below the request. This funding should support efforts to strengthen local governance capacity and civil society, expand constitutional reform efforts, provide economic opportunities for youth, and continue peace and reconciliation programs following the post-election violence.

Somalia.—The Committee recommendation includes $10,000,000 for Somalia, which is $10,000,000 above the request. In order to address the piracy in the seas off the coast of Somalia, the Committee believes that more needs to be done to restore peace and security to Somalia. The Committee intends that these funds will be used to provide economic opportunity and livelihoods to youth, and to support capacity building of government institutions and civil society organizations in order to promote good governance.

Sudan.—The Committee recommendation includes $15,000,000 for southern Sudan, which is $15,000,000 above the request. This funding should support efforts to expand livelihood programs in southern Sudan and to support implementation of the Comprehensive Peace Agreement.

Zimbabwe.—The Committee recommendation includes $28,000,000 for Zimbabwe, which is $17,000,000 below the request. This funding should support efforts to strengthen democratic institutions, processes, and systems; provide economic opportunity for youth; and strengthen civil society.

East Asia and Pacific

Burma.—The Committee recommendation includes $13,000,000 for assistance for Burma, which is the same as the request. Within the amount provided, $10,000,000 is for continuing humanitarian assistance inside Burma that was begun in response to Cyclone Nargis that devastated parts of Burma in May 2008. The Com-

mittee expects that the assistance will be delivered through nongovernmental organization partners already operating or recently working in Burma. The Committee directs the Department of State and USAID to ensure that no assistance flows to or through the Burmese government, its bureaucracy, or regime-affiliated organizations, such as government-organized nongovernmental organizations. The Committee expects this assistance to be delivered to those affected by the cyclone without either discriminating based on ethnicity or religion, or supporting reconstruction projects that use forced labor.

The Committee recommendation also includes $3,000,000 to stabilize funding for humanitarian activities for Burmese refugees, migrants in Thailand, and internally displaced persons. These funds are in addition to $15,000,000 made available for humanitarian activities along the border in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2009 (Public Law 111–8).

North Korea.—Given the April 5, 2009 missile launch by North Korea in contravention of United Nations Security Council resolution 1718, the Foreign Minister's April 14, 2009 announcement that the Government is pulling out of the six party negotiations and restoring the operation of the nuclear facilities which had been disabled, and the continued detainment of two United States journalists, the Committee recommendation does not include the $95,000,000 requested for energy assistance for North Korea. The Committee, however, still strongly supports the denuclearization of the Korean peninsula and the Six Party Talk framework. The Committee will consider providing such assistance in the future if North Korea returns to the negotiating table and is abiding by agreements reached under the Six Party Talks.

Near East

Iraq.—The Committee recommendation includes $449,000,000 for Iraq, which is the same as the request. The Committee intends that not less than $7,000,000 of the funds made available for democracy activities in Iraq be for the ongoing activities and programs in Iraq of the United States Institute of Peace. The Committee is concerned about the treatment of women in Iraq, and urges the Department of State and USAID to continue efforts to encourage the incorporation of women in stabilizing Iraq and creating its government institutions. The Committee is also concerned about the plight of women and religious minorities, particularly Iraqi Christians, amongst displaced and refugee populations and urges that programs of support for displaced and refugee populations take into account the needs of religious minorities. The Committee continues all previous terms and conditions for assistance to Iraq, including the requirement for matching contributions.

Egypt.—The Committee recommendation includes $50,000,000 for Egypt, which is $50,000,000 above the request. Priority should be given to support for economic development programs in the Sinai.

Jordan.—The Committee recommendation includes $100,000,000 for Jordan, which is $100,000,000 above the request. The Committee is concerned about the impact of the global financial crisis

on Jordan's economy and notes Jordan's continued support for Iraqi refugees.

West Bank and Gaza.—The Committee recommendation includes not more than $556,000,000 for economic and humanitarian assistance for the West Bank and Gaza, which is the same as the request. Of the sums provided, not more than $200,000,000 is available for cash transfer assistance to the Palestinian Authority in the West Bank. The Committee continues the prohibition on salaries for personnel of the Palestinian Authority located in Gaza. The Committee provides $188,000,000 for economic assistance to the West Bank for programs that rebuild critical infrastructure, restore essential services, support economic growth and private enterprise development and strengthen local governance capacity. Not more than $156,000,000 is provided for humanitarian assistance to Gaza and $12,000,000 is for humanitarian assistance to the West Bank.

The Committee continues a prohibition on any assistance in this Act from being provided to Hamas or any entity effectively controlled by Hamas and further requires that no assistance may be provided to a power-sharing government of which Hamas is a member unless the President certifies that such government, including all of its ministers or such equivalent, has publicly accepted and is complying with the principles of section 620K(b)(1)(A) and (B) of the Foreign Assistance Act of 1961, as amended. The Committee also continues all terms and conditions of division H of Public Law 111–8 with respect to assistance for the West Bank and Gaza.

South and Central Asia

Afghanistan.—The Committee recommendation includes $839,000,000 for Afghanistan, which is the same as the request.

The Committee supports the need for a comprehensive and multi-faceted approach to stabilizing Afghanistan and defeating Al Qaeda that includes the involvement of multiple United States government agencies. Given the broad nature of the interventions outlined in this Act, coordination across United States agencies as well as with bilateral and multilateral donors will be critical.

Afghanistan Reconstruction Trust Fund (ARTF)/National Solidarity Program (NSP).—The Committee recommendation includes funding to continue to leverage other international donor resources through the ARTF. Not less than $70,000,000 shall be provided to the NSP to support small-scale development initiatives, which is $50,000,000 above the request.

Agriculture.—In order to cement advances in rule of law and security, economic opportunity must be assured to the people of Afghanistan. The Committee recommendation includes $85,000,000 for agriculture programs. These funds should be used to support a multi-faceted program that addresses short term food security needs as well as medium and long term efforts to support the development of the agricultural sector. Programs should be well coordinated with alternative development and economic growth programs to ensure a coordinated strategy across the country.

Alternative Development.—The Committee recommendation includes $55,000,000 for alternative development programs. These programs should focus on areas with significant poppy production, and investments in the agriculture sector should be leveraged in order to develop a comprehensive rural development strategy.

Economic Growth.—The Committee recommendation includes $200,000,000 for economic growth activities. This funding should be used to provide economic opportunities to men, women and youth; support vocational training programs to expand opportunities for unemployed youth and entrepreneurs; support microfinance programs, including for women; and provide capacity building support to Government of Afghanistan ministries.

Elections.—The Committee recommendation includes $25,000,000 to support free and fair elections in Afghanistan. This funding fulfills the commitment made by the Secretary of State at the Afghanistan donors pledging conference. USAID should ensure that steps are taken to enhance the participation of women in the elections preparations and implementation plans.

Governance and Civil Society Capacity Building.—The Committee recommendation includes $115,000,000 for governance and capacity building programs. Of funds provided, $30,000,000 shall be provided to small, local, and women-led nongovernmental organizations to build their capacity and provide services to vulnerable women and girls. This funding also will be used to build the capacity of local, provincial and national governments to serve the needs of the Afghan people. Funding should also be used to strengthen civil society organizations, including women-led organizations, to hold the government accountable at all levels.

The Committee is concerned about continued reports of corruption at every level of the Afghan government. The Department of State is directed to update the Committees on Appropriations on steps that are taken by the Government of Afghanistan to fight corruption among key power-brokers and improve accountability.

Provincial Reconstruction Teams.—The Committee recommendation includes $159,000,000 for PRTs in Afghanistan. Small grant activity coordinated through the PRTs should be integrated into the overall United States government strategy in coordination with the Government of Afghanistan to reduce duplication of effort. A portion of this funding will be implemented through USAID's Office of Transition Initiatives.

Rule of Law.—The Committee recommendation includes $20,000,000 for rule of law programs. This funding should be used to support judicial training, legal education, and programs to improve women's access to justice.

Women and Girls.—The Committee is deeply concerned about recent violations of the rights of women and girls in Afghanistan. The Secretary of State is directed to develop a strategy for improving the security and lives of women and girls in Afghanistan. This strategy should include efforts to increase women's participation in the political process so that their perspective is reflected in any final political agreement in Afghanistan. The strategy should include specific actions that will be taken to strengthen the Afghan legal system to ensure that women's rights are protected and respected. The strategy should be provided to the Committees on Appropriation not later than 180 days after enactment of this Act.

USAID and the Department of State should include consideration of the special needs of women and girls in program development and implementation. In particular, economic growth programs should include a special focus on women-owned and operated enterprises, including micro, small and medium-sized enter-

prises. Programs should also seek to expand women's property rights, increase access to financial services and credit, and eliminate other legal barriers that impede women's ability to earn a livelihood. Finally, technical assistance, training and capacity-building for indigenous civil society organizations that advocate for women's rights, including the prevention of gender based violence, should be expanded.

Pakistan.—The Committee recommendation includes $529,500,000 for Pakistan, which is $100,000,000 above the request. The Committee recognizes the difficult economic, security and governance challenges confronting Pakistan and therefore is bringing forward $100,000,000 in economic assistance requested in the President's fiscal year 2010 budget in order to help Pakistan address the urgent economic situation facing the country.

Assistance is provided to improve the access and quality of public education in Pakistan, including teacher training, school construction, and vocational training. The Committee intends for the assistance provided to support activities to increase agricultural production and improve food security as well as to support micro, small and medium enterprise programs and support for displaced populations. USAID is encouraged to support programs that improve Pakistan's transportation infrastructure. Assistance is also provided to strengthen governance at the national, provincial and district level, including for the Parliament, the independent media and the judiciary. The Committee urges the Department of State and USAID to work with Pakistani authorities and civil society to establish strong transparency and accountability measures for the expenditure of donor funds, including the establishment of independent audit and inspector general offices.

A portion of the funds may be used as budget support in order to assist the Government of Pakistan in meeting the reforms required by the International Monetary Fund's (IMF) standby agreement and to minimize the impact of these reforms on the Pakistani people. The Committee understands that budget support will be used to support specific programs, including the Benazir Income Support Program, electricity to schools and hospitals, school construction, teacher training, and infrastructure to improve agriculture. The Committee directs that a bilateral agreement be in place prior to the provision of any direct budget support and that such agreement be structured to provide maximum accountability and oversight, including conditions for disbursements of funds and detailed monitoring and reporting requirements. Funds should be deposited in a separate, traceable account with the Government of Pakistan and be allocated toward operations in specific sectors. The Secretary of State is directed to consult with the Committees on Appropriations prior to the provision of any budget support, including on the amounts, uses and oversight of such funds as well as on the bilateral agreement.

Other

Assistance to Developing Countries Affected by the Global Financial Crisis.—The Committee recommendation includes $300,000,000 for assistance to developing countries affected by the global financial crisis, which is $148,000,000 below the request.

Section 21007 requires these funds to be provided only to those countries that:

- Have a 2007 per capita Gross National Income of $3,705 or less;
- Have seen a contraction in predicted growth rates of 2% or more since 2007; and
- Demonstrate consistent improvement on the democracy and governance indicators as measured by the Millennium Challenge Corporation 2009 country scorebook.

These funds should be implemented through established programs that address the special needs of the poorest of the poor and should have implementation timelines not to exceed 18 months. These programs should provide basic health care and education services; provide basic livelihood support to those most impacted by the crisis; support infrastructure projects that will directly impact future economic development, such as electricity programs; provide technical assistance in essential areas; and provide basic private sector liquidity to vulnerable populations. The following countries should receive priority consideration: El Salvador, Ghana, Guatemala, Haiti, Indonesia, Liberia, Mongolia, Mozambique, Tanzania, and Zambia. The Department of State and USAID are directed to consult with the Committees on Appropriations not later than 45 days after enactment of this Act on implementation of this program, including on the transfer of funds to the Overseas Private Investment Corporation and to the Development Credit Authority.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

The Committee recommendation includes $242,500,000 for Assistance for Europe, Eurasia and Central Asia, which is the same as the request. The Committee provided $365,000,000 in the Disaster Relief and Recovery Supplemental Appropriations Act, 2008 (division B; Public Law 110–329). The Committee notes that with the addition of funds made available by this Act, the United States pledge of $1,000,000,000, for Georgia, made on October 22, 2008 has been fulfilled.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The Committee recommendation includes $483,500,000 for International Narcotics Control and Law Enforcement activities, which is $94,000,000 above the request.

Iraq.—The Committee recommendation provides $20,000,000 for Iraq, which is the same as the request. Within the amount provided, funds are available for judicial training and security, rule of law advisors and to transition responsibility for the development of Iraqi police from the Department of Defense to the Department of State. The Committee directs that not more than $3,000,000 is available for program development and support activities.

Pakistan.—The Committee recommendation provides $65,500,000 for Pakistan, which is the same as the request. Within the amount provided, funds are available to expand aviation support for tactical counternarcotics, law enforcement, and border security operations of the Frontier Corps. Additionally, the Committee recommendation provides funding to continue operations and support

police training and activities in the North West Frontier Province and the Federally Administered Tribal Areas. The Committee intends that funds may be used for a new police training center and for upgrades to current police training locations and equipment, to include providing fully armored vehicles. The Committee directs that not more than $5,000,000 is available for program development and support activities.

Afghanistan.—The Committee recommendation provides $129,000,000 for Afghanistan, which is the same as the request, for strengthening the criminal justice system, providing training, and improving infrastructure and equipment. Within the total, the Committee supports funding for justice sector reform to advance the institutional capacity and professionalism of justice institutions. The Committee also includes funding for prison facility improvements and internal prison management of Afghanistan's most insecure prisons; specifically, funding is provided to rebuild, equip, operate, maintain, and provide training for staff at Pol-i-Charki prison. Additionally, the Committee provides funding, as requested, for the Good Performers Initiative to sustain so called "high-impact" development assistance and eradication efforts and provide incentives to farmers, communities, and provinces that demonstrate resolve in fighting criminal drug activities. The Committee directs that not more than $5,000,000 is available for program development and support activities.

Mexico.—The Committee recommendation provides $160,000,000 for Mexico, which is $94,000,000 above the request. The Committee supports the aggressive action that the Government of Mexico has taken and strongly supports Mexico in its war against organized crime and drug-trafficking along our shared border. The Committee is concerned about reports of firearms flowing across the border which contributes to the increased level of violence and strongly supports a coordinated security strategy to address the mutual concerns between the United States and Mexico.

In order to facilitate and sustain the difficult task undertaken by the Mexican government, the Committee is accelerating the provision of Merida program funding. In addition to the $66,000,000 requested for the purchase of three UH–60 "Black Hawk" transport helicopters for the Secretariat of Public Security (SSP), the Committee is providing an additional $94,000,000 in INCLE funding and $310,000,000 in FMF funding. The additional INCLE funding for Mexico is intended for such items as forensics and nonintrusive inspection equipment, computers, training and fixed and rotary wing aircraft. The Committee notes that the provision of such additional equipment in an expedited fashion will greatly assist the Mexican government by enhancing the ability of the federal police force to conduct law enforcement, counternarcotics, and counterterrorism operations throughout Mexico, particularly where drug trafficking organizations are challenging the Mexican authorities for control of major cities, including those on the United States-Mexico border. Additionally, the Committee has provided legislative language to ensure the expeditious delivery of this equipment to Mexico and directs the Department of State to use all means necessary to ensure the prompt delivery of equipment.

The Committee remains concerned with reports of corruption and human rights violations committed by some elements of federal and

local police and military personnel. The Committee expects that none of these funds will be used to repress the political opposition. The Committee urges the continuation of justice sector and institutional reforms to ensure greater respect for human rights and rule of law. The Committee directs that not more than $8,000,000 is available for program development and support activities. The Committee directs that pursuant to section 21003 of this Act, the Department of State shall provide a spending plan not later than 45 days after enactment of this Act.

West Bank and Gaza.—The Committee recommendation includes $109,000,000 for assistance for West Bank and Gaza, which is the same as the request. Within the amount provided, $106,000,000 is for ongoing support for training of vetted units of the Palestinian National Security Forces, Presidential Guard, and Civil Defense First Responders. Additionally, there is $3,000,000 to provide law enforcement-related training and non-lethal equipment to enhance border integrity along the Gaza border. The Committee directs that not more than $1,000,000 is available for program development and support activities.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The Committee recommendation includes $98,500,000 for Nonproliferation, Anti-Terrorism, Demining and Related Programs, which is $23,500,000 below the request. Within the total, $73,500,000 is provided for the Nonproliferation Disarmament Fund (NDF), which is $23,500,000 below the request, for nuclear dismantlement and related activities, as well as for border security equipment, training, and program management to prevent smuggling of illicit goods into Gaza. Within the total, $11,000,000 is to support training of Iraqi National Police in VIP protection, and to continue Export Control and Border Security activities and the TIP-PISCES terrorist interdiction program in Iraq; $12,000,000 is to continue in-country support for the protection of Afghan President Karzai; and $2,000,000 is for training of the Pakistani Federal Investigative Agency's antiterrorist team.

MIGRATION AND REFUGEE ASSISTANCE

The Committee recommendation includes $343,000,000 for Migration and Refugee Assistance, which is $50,000,000 above the request. The funds provided are necessary to respond to urgent humanitarian requirements to assist refugees and internally displaced persons in Iraq, Jordan, Syria, the West Bank and Gaza, Lebanon, Afghanistan, Pakistan, Africa and Burmese refugees in Asia. Funds also will help respond to urgent food pipeline breaks in refugee feeding operations, particularly in Africa.

The Committee is aware of abiding concerns over whether the United Nations Relief and Works Agency (UNRWA) is taking all possible steps to prevent its funds from supporting terrorists and other extremists, particularly in the West Bank and Gaza, and is operating in an open and transparent manner. The Committee notes that the Department of State and UNRWA have taken steps to improve both the vetting of staff and beneficiaries and financial accountability and transparency. In an effort to ensure continued progress, section 21004 (b) requires that the Secretary of State pre-

pare and submit to the Committees on Appropriations, not later than 45 days after enactment of this Act, an accountability report on whether UNRWA is:

(1) continuing to utilize Operations Support Officers in the West Bank and Gaza to inspect UNRWA installations and report any inappropriate use;

(2) acting swiftly in dealing with staff or beneficiary violations of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) taking necessary and appropriate measures to ensure it is operating in full compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961;

(4) continuing to report every six months to the Department of State on actions it has taken to ensure conformance with the conditions of section 301(c) of the Foreign Assistance Act of 1961;

(5) taking steps to improve the transparency of all educational materials and supplemental educational materials currently in use in UNRWA-administered schools;

(6) continuing to use supplemental curriculum materials in UNRWA-supported schools and summer camps designed to promote tolerance, non-violent conflict resolution and human rights;

(7) not engaging in operations with financial institutions or entities of any kind in violation of relevant United States law and is enhancing its transparency and financial due diligence and diversifying its banking operations in the region; and

(8) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing the Board of Auditors' recommendations in a timely fashion.

The Committee recommendation also includes language, section 21004 (a), limiting to $119,000,000 the amount of funding provided in this chapter that can be made available to UNRWA for activities in the West Bank and Gaza.

INTERNATIONAL SECURITY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

The Committee recommendation includes $80,000,000 for Peacekeeping Operations (PKO), which is $30,000,000 above the request. The Committee recommendation does not include the requested transfer authority to allow funds to be shifted between the CIPA account and the PKO account.

Democratic Republic of the Congo (DRC).—The Committee recommendation includes $10,000,000 for the DRC, which is the same as the request, for training costs and procurement of equipment to support a professional rapid reaction force.

The Committee recognizes that the United States plays an important role in training and professionalizing foreign security forces around the world. United States training promotes high quality, standardized training in operating procedures, code of conduct, ethics standards, and human and civil rights. The Committee notes

that such training is critical to eliminating the mistreatment and violence that occurs to those in need of protection. Furthermore, the Committee is gravely concerned that the violence against women and girls in the DRC continues and urges the Department of State to focus training on how to prevent and respond to gender-based violence against women and girls. The Committee directs that any training of a rapid reaction force provided with the use of PKO funding from this or prior Acts, shall ensure that all members and units be trained in the fundamental principles of respect for human rights and protection of civilians with a focus on the prevention of rape and other sexual abuse.

The Committee is concerned that donors have not developed a coordinated security sector reform effort in the DRC. In order to ensure continued funding of this effort, the Department of State is directed to report to the Committees on Appropriations on steps taken to put in place a coordinated strategy that is supported by the Government of the DRC and by other donors. The Department of State is directed to consult with the Committees on Appropriations prior to the obligation of these funds.

Somalia.—The Committee recommendation includes $70,000,000 for Somalia, which is $30,000,000 above the request. The funding is intended for Somalia security sector reform, logistical support and facilities for the expanded African Union Mission in Somalia (AMISOM), and raising AMISOM to United Nations peacekeeping operational standards.

INTERNATIONAL MILITARY EDUCATION AND TRAINING

The Committee recommendation includes $2,000,000 for International Military Education and Training, which is the same as the request. These funds are intended to normalize training of officers for Iraqi Security Forces.

FOREIGN MILITARY FINANCING PROGRAM

The Committee recommendation includes $1,349,000,000 for Foreign Military Financing Program (FMF), which is $1,250,600,000 above the request. The Committee directs that pursuant to section 21003 of this Act the Department of State shall provide a spending plan not later than 45 days after enactment of this Act.

Mexico.—The Committee recommendation includes $310,000,000 for Mexico, which is $310,000,000 above the request. The Committee strongly supports Mexico in its war against organized crime and drug-trafficking and supports a coordinated security strategy to address mutual concerns. Within the amount provided, funds are available to expand aviation support for Mexico. In support of a continued cooperative partnership with Mexico, the Committee recommendation provides funding for the final three surveillance planes (CASA 235) and for medium lift maritime transport helicopters (HH–60). The Committee notes that the provision of such additional equipment in an expedited fashion will greatly assist the Mexican government by enhancing the air transport ability and maritime aerial surveillance of the Mexican Navy (SEMAR) to conduct counternarcotics, and counterterrorism operations. The Committee has provided legislative language to ensure the expeditious delivery of this equipment to Mexico and directs the Departments of State and Defense to use all means necessary to ensure the

prompt delivery of equipment provided for in this Act and any equipment, technical assistance, and training provided in prior Acts.

Lebanon.—The Committee recommendation includes $74,000,000 for Lebanon, which is $24,400,000 below the request. The recommendation directs that no military assistance may be made available for obligation until the Secretary of State reports to the Committees on Appropriations on the vetting procedures in place to determine eligibility to participate in United States training and assistance programs funded under this account. The Committee further directs the Secretary of State to report on the procedures in place to ensure that no funds are provided to any individuals or organizations that have any known links to terrorist organizations including Hezbollah, and mechanisms to monitor the use of the appropriated funds. The Committee directs that the Department of State consult with the Committees on Appropriations prior to the obligation of funds provided for assistance for Lebanon in this Act.

Advanced Security Assistance to Near East Countries.—The Committee hopes that a combination of engagement and diplomatic pressure, including sanctions, will produce constructive results toward Iran suspending its nuclear program. Yet, the Committee notes that, despite three sets of United Nations Security Council sanctions as well as United States and European measures against Iran's financial system, Iran's policy toward its neighbors remains one of obfuscation, antagonism, and delay. The Committee believes that in order to provide a counterbalance to Iran's hegemonic ambitions in the region, Iran's continued support for terrorism through its proxies, Hamas and Hezbollah, and Iran's pursuit of nuclear weapons, the United States must make every effort to improve the defense capabilities of our key allies in the region. Therefore, the Committee recommendation provides forward funding for a portion of security assistance for Jordan, Egypt, and Israel. These funds are not in addition to the presumed fiscal year 2010 request. The Committee intends that the forward funding of bilateral security assistance should be used to sustain the long-term obligations to protect our fundamental interests in the region and advance our common goals.

Jordan.—The Committee recommendation includes $150,000,000 for Jordan, which is $150,000,000 above the request. The Committee notes that Jordan plays a critical role in supporting peace and security in the Middle East and strongly supports efforts to improve Jordanian security.

Egypt.—The Committee recommendation includes $260,000,000 in FMF grants for Egypt, which is $260,000,000 above the request, and which shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act. The Committee believes that continued military cooperation between Egypt and the United States remains in the national security interests of both countries.

Israel.—The Committee recommendation includes $555,000,000 in FMF grants for Israel, which shall be available within 30 days of enactment of this Act. The recommendation represents a portion of the $2,775,000,000 agreed upon in the Memorandum of Understanding between the United States and Israel and requested in the Administration's fiscal year 2010 request. The balance of

$2,220,000,000 will be addressed in the fiscal year 2010 bill. The Committee remains committed to helping Israel maintain its qualitative military edge which is critical for its security. The Committee also recommends that to the extent that the Government of Israel requests that FMF grant funds for Israel be used for such purposes, and as agreed by the United States and Israel, funds may be made available for advanced weapons systems, of which $145,965,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development.

PAKISTAN COUNTERINSURGENCY CAPABILITY FUND

(INCLUDING TRANSFER OF FUNDS)

The Committee recommendation includes $400,000,000 for a new Pakistan Counterinsurgency Capability Fund (PCCF) account that uses existing Department of State authorities. The President requested this $400,000,000 within the Department of Defense appropriations section of the supplemental request. The Committee believes that the PCCF should be considered within the context of the Department of State appropriations, as the Secretary of State is the principal adviser to the President on foreign policy matters. The Committee notes that such a request for training for Pakistan, or any other nation where we have a national security interest, must be considered within the context of Department of State policy guidance, applicable governing authorities and appropriations. The Committee also notes that the Department of Defense will be responsible for the delivery of such assistance. This Fund will be used to support counterinsurgency efforts of Pakistani security forces, and, on an exceptional basis, irregular security forces to provide equipment, support, and training to help Pakistan defeat the extremist networks that are operating within its territory. The Committee expects the Department of State to consult closely on the use of the new account to ensure that the funds are obligated and expended in a timely way.

GENERAL PROVISIONS, THIS CHAPTER

The Committee recommendation does not include a provision proposed in the supplemental request to make foreign assistance funds for Burma and Afghanistan in this Act available notwithstanding any other provision of law. The recommendation does include a limited notwithstanding authority for Burma in this Act under the "Economic Support Fund" heading and a limited notwithstanding authority for Zimbabwe in section 21010.

The Committee recommendation includes the following general provisions for this chapter:

EXTENSION OF AUTHORITIES

Section 21001 extends certain authorities necessary to expend Department of State and foreign assistance funds.

ALLOCATIONS

Section 21002 requires that funds in the specified accounts shall be allocated as indicated in the respective tables in this explana-

tory statement. Any change to these allocations shall be subject to the regular notification procedures of the Committees on Appropriations.

SPENDING PLAN AND NOTIFICATION PROCEDURES

Section 21003 requires the Secretary of State to provide detailed spending plans to the Committees on Appropriations on the uses of funds appropriated in this chapter. These funds are also subject to the regular notification procedures of the Committees on Appropriations.

UNRWA ACCOUNTABILITY

(INCLUDING TRANSFER OF FUNDS)

Section 21004 includes several accountability measures with respect to humanitarian and project assistance to the West Bank and Gaza. First, section 21004(a) places a limitation of $119,000,000 on the amount of funds appropriated under the "Migration and Refugee Assistance" heading in this chapter that may be made available to UNRWA for the West Bank and Gaza. Second, section 21004(b) requires the Secretary of State to prepare and submit an UNRWA accountability report to the Committees on Appropriations. Finally, section 21004(c) transfers $1,000,000 of the funds made available under the "Economic Support Fund" heading to the Inspector General of the Department of State and Broadcasting Board of Governors for oversight of the funds made available to the West Bank and Gaza and the surrounding region.

WOMEN AND GIRLS IN AFGHANISTAN

Section 21005 sets terms and conditions for assistance for Afghanistan related to women and girls.

SOMALIA

Section 21006 establishes funding levels for Somalia and requires a report on maritime security. The Committee notes that the Gulf of Aden is one of the world's busiest shipping lanes, with an estimated 20,000 ships passing through its waters annually. This fact, combined with a failed state in Somalia, make the waters of the Gulf prone to pirate attacks. It is critical that this issue be addressed by providing greater security in the sea as well as securing peace and stability in Somalia. The Committee recommendation includes $70,000,000 under the "Peacekeeping Operations" heading for support for the AMISOM mission and includes $10,000,000 under the "Economic Support Fund" heading for Somalia for economic growth and governance programs. In addition, the Committee has directed the Department of State to provide a report on the feasibility of creating an indigenous maritime capability to combat piracy in the Gulf of Aden and the Indian Ocean in bill language.

ASSISTANCE FOR DEVELOPING COUNTRIES IMPACTED BY THE GLOBAL FINANCIAL CRISIS

(INCLUDING TRANSFER OF FUNDS)

Section 21007 sets country eligibility criteria for funds provided under the "Economic Support Fund" heading for countries impacted by the global financial crisis and provides transfer authority.

EVALUATING AFGHAN AND PAKISTANI CONDUCT AND COMMITMENT

Section 21008 requires that the President report to Congress on whether the Governments of Afghanistan and Pakistan are demonstrating the necessary commitment, capability, conduct and unity of purpose to warrant the continuation of the President's policy announced on March 27, 2009.

PROHIBITION ON ASSISTANCE TO HAMAS

Section 21009 prohibits assistance to Hamas or any entity controlled by Hamas but does allow assistance to be provided for a power-sharing government if the President certifies that such government, including all of its ministers or other officials of such equivalent rank and stature, have publicly accepted and are complying with Section 620K(b)(1)(A) and (B) of the Foreign Assistance Act of 1961, as amended. The Committee believes that a public acceptance should be an acceptance in writing by such government and its ministers. The section also establishes certain reporting requirements on the Secretary of State, in the event the President issues the certification described in subsection 21009(b).

TERMS AND CONDITIONS

Section 21010 establishes that unless designated otherwise in this chapter, the terms and conditions contained in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111–8) shall apply to funds appropriated by this chapter, except sections 7070(e), with respect to funds made available for macroeconomic growth assistance for Zimbabwe, and 7042(a) and (c).

TITLE III—GENERAL PROVISIONS, THIS ACT

The Committee recommendation includes the following bill-wide general provisions:

Section 30001 requires the President to submit a plan regarding the proposed disposition of detention facilities at U.S. Naval Station, Guantanamo Bay, Cuba.

Section 30002 establishes the period of availability for obligation of appropriations provided in this Act.

Section 30003 designates appropriations in the bill as being either for overseas deployments and other activities or as emergency, pursuant to the concurrent resolution on the budget for fiscal year 2010.

Section 30004 provides that this Act may be referred to as the "Supplemental Appropriations Act, 2009".

INFORMATION REQUIRED BY HOUSE RULES

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill that directly or indirectly change the application of existing law:

The bill includes several appropriations that are not authorized by law and as such may be construed as legislative in nature.

The bill includes provisions which place limitations on the use of funds in the bill or change existing limitations and which might under some circumstances be construed as changing the application of existing law.

TITLE I

Language is included that provides for the transfer of funds under the heading "Operation and Maintenance, Navy" to be transferred to the United States Coast Guard.

Language is included under "Operation and Maintenance, Defense-Wide" which makes available not to exceed $10,000,000 that may be used for the Combatant Commanders Initiative Fund; provides $810,000,000, to remain available until expended, for payments to certain governments for logistical and other military support to United States military operations; provides that such payments shall be based on certain documentation; and requires notification of the congressional defense committees; provides $10,000,000 for emergencies and extraordinary expenses provided that the Secretary certifies that such payments are necessary for confidential military purposes; and provides $350,000,000 for counter narcotics and other activities including assistance to other Federal agencies on the United States' border with Mexico, including authority to transfer up to $100,000,000 to other Federal appropriations accounts.

Language has been included under "Iraq Freedom Fund" that provides up to $350,000,000 to remain available for transfer until September 30, 2010 for rapid response to unforeseen, immediate warfighter needs for Iraq, Afghanistan, and other geographic areas in which combat or direct combat support operations for Iraq and Afghanistan occur in order to minimize casualties and ensure mission success for Operation Iraqi Freedom and Operation Enduring Freedom; provides that such funds may be transferred to various appropriations; provides for the authority to transfer funds back to the fund; provides that the transfer authority is in addition to any other transfer authority; provides up to $15,000,000 to transport the remains of service members killed in combat operations; provides that these funds are available for transfer to any other appropriations account of the Department of Defense to accomplish that purpose; provides for the authority to transfer funds back to the fund; and provides that the transfer authority is in addition to any other transfer authority.

Language is included under "Afghanistan Security Forces Fund" that provides $3,606,939,000 to remain available until September 30, 2010; and provides for notifications to Congress of any transfer or obligation of these funds.

Language is included that establishes the Pakistan Counterinsurgency Fund and provides $400,000,000 to the Secretary of Defense to provide assistance to the security forces of Pakistan (including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction) to improve the counterinsurgency capability of Pakistan's security forces.

Language is included that provides $500,000,000 for the National Guard and Reserve Equipment Account.

Language is included that provides $4,843,000,000 to the "Mine Resistant Ambush Protected Vehicle Fund" established in Public Law 110–116.

Language is included that provides that the funds made available in this title are in addition to the amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2009.

Language is included that provides transfer authority for funds made available in this Act for the Department of Defense.

Language is included that provides for the obligation of funds pursuant to section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

Language is included that provides in fiscal year 2009, the Secretary of Defense may transfer amounts in or credited to the Defense Cooperation Account; provides the availability of such funds; and requires a report to the Congress of such transfers made pursuant to any transfer.

Language is included that permits supervision and administrative costs associated with a construction project funded with appropriations available for operation and maintenance and executed in direct support of the overseas contingency operations only in Iraq and Afghanistan may be obligated at the time a construction contract is awarded.

Language is included that provides for rescissions from certain programs.

Language is included that provides for two year period of availability for the Iraq Security Forces Fund and the Afghanistan Security Forces Fund; and provides funds may not be obligated or transferred from those funds until fifteen days after the date on which the Secretary of Defense notifies congressional defense committees in writing of the details of the proposed obligation or transfer.

Language is included that provides the authority to use operation and maintenance appropriations to purchase items having an investment item unit cost of not more than $250,000, or upon determination by the Secretary of Defense that the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas can be met, funds may be used to purchase items having an investment item unit cost of not more than $500,000.

Language is included that authorizes the Secretary of Defense to accept contributions of funds from any person, foreign government, or international organization to carry out the Commander's Emergency Response Program in Iraq or Afghanistan.

Language is included that provides funds for the military spouse career transition assistance internship program.

Language is included that provides the authority for an Air Safety System for the Kyrgyz Republic.

Language is included that provides for the procurement of passenger motor vehicles for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan.

Language is included that provides for the transfer of funds between procurement and military personnel accounts.

Language is included that provides for retroactive Stop Loss payments.

Language is included that allows for retirement of certain aircraft.

Language is included that prohibits paying award fees contrary to Section 814 of the National Defense Authorization Act, 2007.

Language is included that prohibits the Department of Defense from using funds provided in this title to finance programs or activities denied by Congress in fiscal years 2008 or 2009 appropriations or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

Language is included that prohibits the establishment of permanent bases in Iraq and prohibits United States control over Iraqi oil resources.

Language is included that prohibits the establishment of permanent bases in Afghanistan.

Language is included that requires the Secretary of Defense to report on the Iraq troop drawdown status, the troop draw down goals, and the drawdown timetables quarterly to the Committees on Appropriations of both the House of Representatives and the Senate.

TITLE II

Language is included to allow funds previously appropriated to the emergency conservation program to be available for expenses related to recovery efforts in response to natural disasters.

Language is included to provide additional loan authority under the agricultural credit insurance fund program.

Language is included under "Strategic Petroleum Reserve" providing for the transfer of funds from the SPR Petroleum Account to the Strategic Petroleum Reserve account for purposes of facilities development, operations and maintenance and management activities associated with deferred maintenance.

Language is included that permits the Administrator of the United States Fire Administration to waive certain subsections of the Federal firefighter hiring program, commonly called "SAFER", in fiscal years 2009 and 2010, which will expand the use of SAFER funds to rehiring and retaining firefighters.

Language is included that provides a waiver to the Jones Act for the drydock ALABAMA.

Language is included that provides a waiver to the Jones Act for the vessel MARYLAND INDEPENDENCE.

Language is included under the Public Health and Social Services Emergency Fund stating that, notwithstanding section 496(b) of the Public Health Service Act, funds provided may be used for the construction or renovation of privately owned facilities for the production of pandemic flu vaccine and other biologics, where the

Secretary of HHS finds such a contract necessary to secure sufficient supplies of such vaccines or biologics.

In various places in Chapter 10, the Committee recommendation continues the prior year practice of designating amounts within appropriation accounts for assistance for certain countries and/or for particular activities and programs.

Language is included under "Diplomatic and Consular Programs" designating funding for Worldwide Security Protection and authorizing certain transfers to other Federal departments or agencies.

Language is included under "Office of Inspector General" designating funding and transfer authority, extending special hiring authority to the Special Inspector General for Afghanistan Reconstruction, providing for coordination of oversight programs of various Inspectors General in Pakistan, Iraq and Afghanistan, and requiring the submission to the Committees on Appropriations of the Middle East and South Asia audit plan pursuant to section 842 of P.L. 110–181.

Language is included under "Embassy Security, Construction, and Maintenance" designating funding for secure facilities and housing in Afghanistan and Pakistan, and for mobile mail screening units.

Language is included under "Operating Expenses" for the United States Agency for International Development designating funding for oversight programs in Afghanistan and Pakistan.

Language is included under "Economic Support Fund" designating funding levels for certain programs and countries; providing transfer authority of funds available for West Bank and Gaza; setting a funding ceiling on cash transfer assistance to the Palestinian Authority; and providing notwithstanding authority for certain humanitarian assistance inside Burma to those affected by Cyclone Nargis.

Language is included under "Assistance for Europe, Eurasia and Central Asia" requiring prior consultation before the funds made available may be obligated.

Language is included under "International Narcotics Control and Law Enforcement" providing notwithstanding authority from certain reporting requirements; reducing the regular notification requirement to 5 days and requiring prior consultation before obligating funding in the chapter for Mexico; and requiring a report on use of assistance for training Palestinian security forces.

Language is included under "Nonproliferation, Anti-terrorism, Demining, and Related Programs" allowing funding for the Nonproliferation and Disarmament Fund to be used for weapons destruction and includes a prior consultation provision on the use of funds.

Language is included under "Foreign Military Financing Program" providing notwithstanding authority from certain reporting and notification requirements for assistance in the chapter for Mexico; and requiring a report on the eligibility of Lebanon's security forces to receive equipment and training.

Language has been included for "Department of State—International Security Assistance" creating a new appropriations account, "Pakistan Counterinsurgency Capability Fund", which provides $400,000,000, to become available on September 30, 2009, to

build and maintain the counterinsurgency capability of Pakistani security forces.

Language is included similar to that carried in prior years, waiving prior authorization requirements for the expenditure of funds by the Department of State.

Language is included in chapter 10 similar to that carried in prior years, regarding certain funding allocations specified in the report accompanying this Act.

Language is included setting a limitation on funding available in the Act for UNWRA, requiring the Secretary of State to submit a report regarding UNWRA accountability, and transferring funds to the Office of Inspector General of the Department of State for oversight of programs and activities in the West Bank and Gaza.

Language is included requiring the Secretary of State to report on the feasibility of creating an indigenous maritime capability off the coast of the Horn of Africa to combat piracy.

Language is included establishing criteria for the provision of assistance to countries impacted by the global financial crisis and allowing for certain transfers of funds.

Language is included making certain findings regarding conditions in Afghanistan and Pakistan and requiring the submission of a report to the Committees on Appropriations.

Language is included prohibiting assistance to Hamas and conditioning assistance to a power sharing government that complies with section 620K(b)(1)(A) & (B) and establishing certain Secretary of State reporting requirements.

Language is included stating that the terms and conditions of division H of Public Law 111–8 shall apply to the funds made available in chapter 10, unless otherwise specified.

TITLE III

Language is included that requires the President to submit a plan regarding the proposed disposition of the detention facilities at U.S. Naval Station, Guantanamo Bay, Cuba.

Language is included in various accounts that provides for the availability of certain funds for a period in excess of one year.

Language is included designating certain funds as being for overseas deployments and other activities pursuant to the FY2010 concurrent resolution on the budget that may be construed as legislative in nature.

Language is included designating certain funds as necessary to meet emergency needs pursuant to the FY2010 concurrent resolution on the budget that may be construed as legislative in nature.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following is submitted describing the transfer of funds provided in the accompanying bill:

TITLE I

Language has been included in "Operation and Maintenance, Navy" which provides for the transfer of funds to the Coast Guard.

Language has been included in "Operation and Maintenance, Defense-Wide" which provides for reimbursement to Pakistan, Jordan

and other key cooperating nations, and to other Federal departments or agencies for border-related activities.

Language has been included in "Iraq Freedom Fund" which provides for the transfer of funds to other appropriations accounts of the Department of Defense for immediate warfighter needs to minimize casualties, and to transfer remains of deceased service members.

Language has been included in "Afghanistan Security Forces Fund" which provides for the transfer of funds for the purposes of providing assistance to the security forces of Afghanistan.

Language has been included in "Pakistan Counterinsurgency Fund" which provides for the transfer of funds for the purpose of providing assistance to the security forces of Pakistan.

Language has been included in "Drug Interdiction and Counter-Drug Activities" which provides for the transfer of funds to other appropriation accounts of the Department of Defense for military personnel of the reserve components, for operations and maintenance, procurement, and for research, development, test and evaluation.

Language has been included in "Mine Resistant Ambush Protected Vehicle Fund" which provides for the transfer of funds to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles.

Language has been included in "General Provisions," which provides a specified amount of transfer authority for funds made available in title I.

Language has been included in "General Provisions," which provides for the transfer of limited funds from the Defense Cooperation Account.

Language has been included in "General Provisions," which provides for the transfer of funds from "Operation and Maintenance, Defense-Wide" to the U.S. Department of State for air traffic control in the Kyrgyz Republic.

Language has been included in "General Provisions," which provides for the transfer of funds from various Army procurement accounts to Army, Army Reserve, and Army National Guard personnel accounts.

Language has been included in "General Provisions," which provides for retroactive Stop Loss payments.

TITLE II

Language is included under "Strategic Petroleum Reserve" authorizing the transfer of $21,585,723 from the "SPR Petroleum Account" to the "Strategic Petroleum Reserve" account.

Language is in included under "Department of the Interior, Department-Wide Programs, Wildland Fire Management" authorizing the transfer of up to $50,000,000 to "Department of Agriculture, Forest Service, Wildland Fire Management".

Language is included under "Department of Agriculture, Forest Service, Wildland Fire Management" authorizing the transfer not more than $50,000,000 to "Department of the Interior, Department-Wide Programs, Wildland Fire Management".

Language is included under the Public Health and Social Services Emergency Fund transferring no less than $350,000,000 to the Centers for Disease Control and Prevention.

Language is included under the Public Health and Social Services Emergency Fund permitting the transfer of funds not specifically designated to other appropriation accounts of the Department of Health and Human Services and to other Federal agencies to be used for the pandemic influenza preparedness and response and to the fund authorized by section 319F–2 of the Public Health Service Act.

Language is included under Diplomatic and Consular Programs authorizing the transfer of up to $157,600,000 to other appropriations of federal departments or agencies for operations in and assistance for civilian staff in Afghanistan.

Language is included under Diplomatic and Consular Programs authorizing the transfer of $10,900,000 to International Broadcasting Operations.

Language is included under Department of State, Office of Inspector General authorizing the transfer of $7,201,000 to the Special Inspector General for Afghanistan Reconstruction.

Language is included under Economic Support Fund authorizing the transfer of $2,000,000 to United States Agency for International Development, Office of Inspector General.

Language is included under a new heading, Pakistan Counter-insurgency Capability Fund, authorizing the transfer of an unspecified amount to the Department of Defense or other Federal departments or agencies.

Language is included under the General Provisions authorizing the transfer of up to $29,000,000 from Economic Support Fund to Development Credit Authority.

Language is included under the General Provisions authorizing the transfer of up to $20,000,000 from Economic Support Fund to Overseas Private Investment Corporation Program Account.

RESCISSIONS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

RESCISSIONS RECOMMENDED IN THE BILL

Department/Activity	*Rescissions*
Department of Defense, Iraq Security Forces Fund	$1,000,000,000
Department of Defense, Afghanistan Security Forces Fund	125,000,000
Department of Defense, Research, Development, Test and Evaluation, Navy, 2008/2009	5,000,000
Department of Defense, Operation and Maintenance, Army, 2009	352,359,000
Department of Defense, Operation and Maintenance, Navy, 2009	881,481,000
Department of Defense, Operation and Maintenance, Marine Corps, 2009	54,466,000
Department of Defense, Operation and Maintenance, Air Force, 2009	925,203,000
Department of Defense, Operation and Maintenance, Defense-Wide, 2009	267,635,000
Department of Defense, Operation and Maintenance, Army Reserve, 2009	23,338,000
Department of Defense, Operation and Maintenance, Navy Reserve, 2009	62,910,000
Department of Defense, Operation and Maintenance, Marine Corps Reserve, 2009	1,250,000
Department of Defense, Operation and Maintenance, Air Force Reserve, 2009	163,786,000

Department/Activity	*Rescissions*
Department of Defense, Operation and Maintenance, Army National Guard, 2009	57,819,000
Department of Defense, Operation and Maintenance, Air National Guard, 2009	250,645,000
Department of Defense, Research, Development, Test and Evaluation, Navy, 2009/2010	30,510,000
Department of Defense, Research, Development, Test and Evaluation, Air Force, 2009/2010	115,098,000
Department of Agriculture, unobligated balances from the Rural Development mission area discretionary programs	71,270,000
Department of Justice, unobligated balances from the Office of Inspector General	3,000,000
Department of Defense, for Military Construction, Army, in Public Law 110–252	142,500,000
Department of Defense, appropriated for Military Construction, Air Force, in Public Law 110–252	30,000,000

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

[Dollars in thousands]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Apropriations in this bill
DEPARTMENT OF DEFENSE				
Military Personnel, Army	2009	(1)	$36,382,736	$10,924,641
Military Personnel, Navy	2009	(1)	24,037,553	1,716,827
Military Personnel, Marine Corps	2009	(1)	11,792,974	1,577,850
Military Personnel, Air Force	2009	(1)	25,103,789	1,783,208
Reserve Personnel, Army	2009	(1)	3,904,296	381,155
Reserve Personnel, Navy	2009	(1)	1,855,968	39,478
Reserve Personnel, Marine Corps	2009	(1)	584,910	29,179
Reserve Personnel, Air Force	2009	(1)	1,423,676	16,943
National Guard Personnel, Army	2009	(1)	6,616,220	1,373,273
National Guard Personnel, Air Force	2009	(1)	2,741,768	101,360
Operation and Maintenance, Army	2009	$31,251,702	31,207,243	14,024,703
Operation and Maintenance, Navy	2009	34,850,310	34,410,773	2,367,959
Operation and Maintenance, Marine Corps	2009	5,604,254	5,519,232	1,084,081
Operation and Maintenance, Air Force	2009	35,454,487	34,865,964	6,216,729
Operation and Maintenance, Defense-Wide	2009	25,948,864	25,939,466	5,353,701
Operation and Maintenance, Army Reserve	2009	2,642,341	2,628,896	101,317
Operation and Maintenance, Navy Reserve	2009	1,311,085	1,308,141	24,318
Operation and Maintenance, Marine Corps Reserve	2009	213,131	212,487	30,775
Operation and Maintenance, Air Force Reserve	2009	3,150,692	3,018,151	34,599
Operation and Maintenance, Army National Guard	2009	5,893,546	5,858,303	178,446
Iraq Freedom Fund	2008	.....	.....	365,000
Afghanistan Security Forces Fund	2009	2,000,000	2,000,000	3,606,939
Pakistan Counterinsurgency Fund	None	N/A	N/A	400,000
Aircraft Procurement, Army	2009	4,848,835	4,900,835	1,285,304
Missile Procurement, Army	2009	2,207,460	2,185,060	677,141
Procurement of Weapons and Tracked Combat Vehicles, Army	2009	3,516,398	3,169,128	2,233,871
Procurement of Ammunition, Army	2009	2,280,791	2,287,398	230,075
Other Procurement, Army	2009	11,143,076	10,684,014	8,039,349
Aircraft Procurement, Navy	2009	14,557,874	14,141,318	691,924
Weapons Procurement, Navy	2009	3,553,282	3,29Z972	31,698
Procurement of Ammunition, Navy and Marine Corps	2009	1,110,012	1,085,158	348,919
Other Procurement, Navy	2009	5,463,565	5,250,627	172,095
Procurement, Marine Corps	2009	1,486,189	1,376,917	1,509,986
Aircraft Procurement, Air Force	2009	12,826,858	13,112,617	5,138,268
Missile Procurement, Air Force	2009	5,496,219	5,442,428	57,416
Procurement of Ammunition, Air Force	2009	911,278	859,466	183,684

[Dollars in thousands]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Apropriations in this bill
Other Procurement, Air Force	2009	16,087,887	16,025,569	1,745,761
Procurement, Defense-Wide	2009	3,382,628	3,306,269	200,068
National Guard & Reserve Equipment Account	2009	800,000	750,000	500,000
Research, Development, Test and Evaluation, Army	2009	10,943,840	12,060,111	73,734
Research, Development, Test and Evaluation, Navy	2009	19,345,603	19,764,276	96,231
Research, Development, Test and Evaluation, Air Force	2009	26,289,508	27,084,340	92,574
Research, Development, Test and Evaluation, Defense-Wide	2009	20,942,729	21,423,338	459,391
Defense Working Capital Fund	2009	198,150	.....	846,726
Defense Health Program, Operation and Maintenance	2009	24,966,917	25,825,832	1,097,297
Drug Interdiction and Counter-Drug Activities, Defense	2009	1,060,463	1,096,743	137,198
Joint Improvised Explosive Device Defeat Fund	2009	200,000	.....	1,316,746
Mine Resistant Ambush Protection Vehicle Fund	2009	.....	.....	4,843,000
Office of the Inspector General	2009	273,845	271,845	9,551
DEPARTMENT OF JUSTICE				
Department of Justice, National Security Division, Salaries and Expenses	None	N/A	N/A	1,389,000
DEPARTMENT OF ENERGY				
Department of Energy, Strategic Petroleum Reserve	None	N/A	N/A	21,585,723
National Nuclear Security Administration, Nonproliferation	2009	1,895,261,000	1,969,358,000	55,000,000
DEPARTMENT OF DEFENSE				
Military Construction, Army	2009	5,060,698	4,872,648	1,407,231
Military Construction, Navy and Marine Corps	2009	3,340,169	3,613,369	235,881
Military Construction, Air Force	2009	1,117,746	1,297,746	279,120
Military Construction, Defense-Wide	2009	1,584,469	3,145,204	1,086,968
NATO Security Investment Program	2009	230,867	230,867	100,000
Base Realignment and Closure, 2005	2009	9,065,386	8,765,613	263,300
Department of State/Administration of Foreign Affairs	2003	5,290,390,000	5,874,914,000	2,022,966,000
Department of State/International Organizations	2003	1,529,702,000	1,672,000,000	836,900,000
Operating Expenses of the United States Agency for International Development	1987	387,000,000	340,600,000	152,600,000
Capital Investment Fund	None	N/A	N/A	48,500,000
Operating Expenses of the United States Agency for International Development—Inspector General	1987	$21,750,000	$21,000,000	3,500,000
Global Health and Child Survival (see note below)	Population (1987); Health and Disease Prevention (1987); Child Survival Fund (1987)	Population ($290,000,000); Health and Disease Prevention ($180,000,000); Child Survival Fund	Population ($234,625,000); Health and Disease Prevention ($166,762,000); Child Survival Fund	200,000,000
International Disaster Assistance (see note below)	1987	25,000,000	70,000,000	200,000,000
Development Credit Authority	None	N/A	N/A	29,000,000 (by transfer)
Development Credit Authority—administrative expenses	None	N/A	N/A	1,500,000
Economic Support Fund	1987	3,800,000,000	3,555,000,000	3,307,500,000
Assistance for Eastern Europe, Eurasia and Central Asia (see note below)	1993	410,000,000	417,000,000	242,500,000

[Dollars in thousands]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Apropriations in this bill
International Narcotics Control and Law Enforcement	1994	171,500,000	100,000,000	483,500,000
Nonproliferation, Anti-terrorism, Demining and Related Programs (see note below)	2003	226,200	N/A	98,500,000
Migration and Refugee Assistance	2003	820,000,000	543,000,000	823,900,000
Peacekeeping Operations	1999	83,000,000	76,500,000	80,000,000
International Military Education and Training	2003	85,000,000	79,480,000	2,000,000
Foreign Military Financing	2003	4,107,000,000	6,104,632,000	1,349,000,000
Pakistan Counterinsurgency Capability Fund	None	N/A	N/A	400,000,000

[1] The FY2009 National Defense Authorization Act authorizes $124,791,336,000 for military personnel.

Note: The bill includes several transfers of funds which may or may not be specifically authorized in law.

Note: Programs recommended herein under ''Global Health and Child Survival'' were last authorized under a different account structure than that recommended in this bill; the account structure included a number of functional accounts, as described above. Microenterprise programs were reauthorized in 2004, covering the period through 2009.

Note: Programs recommended herein under ''International Disaster Assistance'' account was formerly called the ''International Disaster and Famine Assistance'' account and was last authorized under that account name.

Note: Programs recommended herein under ''Assistance for Eastern Europe, Eurasia, and Central Asia'' are a combination of the programs previously funded under the headings ''Assistance for Eastern Europe and the Baltic States'' and ''Assistance for the Independent States of the Former Soviet Union''. The programs of the former ''Assistance for Eastern Europe and the Baltic States'' account were last authorized in the Support for East European Democracy (SEED) Act of 1989; however, these funds were authorized for discrete programs and not for the account as a whole. In fiscal year 1991, the first general appropriations act after enactment of the SEED Act included $369,675,000 for this account.

Note: Programs recommended herein under ''Nonproliferation, Anti-terrorism, Demining, and Related Programs'' include some major programs for which authorizations of appropriations were provided for fiscal year 2002; these programs include $73,000,000 authorized for antiterrorism assistance and $142,000,000 authorized for nonproliferation activities. In addition, some programs now in this account were previously in accounts which had authorizations of appropriations in prior years.

COMPARISON WITH THE BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget Act requires the report accompanying a bill providing new budget authority to contain a statement comparing the levels in the bill to the sub-allocations submitted under section 302(b) of the Act for the most recently agreed to concurrent resolution on the budget for the applicable fiscal year. That information is provided in the following table headed "Comparison of Reported Bill to Section 302(b) Sub-Allocations".

All appropriations in this bill are designated either as being for overseas deployments and other activities under section 423(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for FY2010, or as necessary to meet emergency needs under section 423(b) of the budget resolution.

Up to $90.475 billion in appropriations designated under 423(a) for overseas deployments and other activities is counted for the purposes of section 302 of the Budget Act, with a mechanism in place for the Budget Committee to make an offsetting adjustment to those allocations. Anything above the $90.475 billion cap does not count for the purposes of section 302. Pursuant to section 423(b), amounts designated as emergency (all appropriations in chapters 6, 7, and 8) also do not count against section 302 allocations.

COMPARISON OF REPORTED BILL TO SECTION 302(b) SUBALLOCATIONS

[in millions of dollars]

Subcommittee	This Bill plus previously enacted amounts [1]		Amounts in bill designated as overseas deployments (Sec. 423(a))		Amounts in bill designated as emergency needs (Sec. 423(b)) [2]		This bill plus previously enacted amounts, less Sec. 423(a) and Sec. 423(b)		Section 302(b) allocations [3]	
	BA	Outlays	BA	Outlays	BA	Outlays	BA	Outlays	BA	Outlays
Agriculture	20,956	21,682	571	156	−71	−4	20,456	21,530	20,623	22,000
Commerce, Justice, Science	57,669	57,376	20	6	−3	−2	57,652	57,372	56,858	57,000
Defense	569,037	549,994	85,767	25,210	−1,125	−355	484,395	525,139	487,737	525,250
Energy and Water Development	33,316	32,384	77	14	0	0	33,239	32,270	33,265	32,825
Financial Services	22,700	22,890	3	0	0	0	22,697	22,890	21,900	22,900
Interior/Environment	27,829	28,879	0	0	250	220	27,579	28,659	27,867	28,630
Labor, HHS, Education	154,105	152,317	0	0	1,850	559	152,255	151,758	152,643	152,000
Legislative	4,474	4,334	0	0	72	4	4,402	4,330	4,404	4,340
Military Construction/Veterans	76,063	66,906	3,373	25	−173	0	72,863	66,881	72,729	66,890
State/Foreign Operations	46,090	38,171	9,470	1,929	0	0	36,620	36,242	36,620	36,000
Toal Discretionary	1,012,239	974,833	99,281	27,340	800	422	912,158	947,071	914,646	947,835

[1] Previously enacted amounts excludes amounts designated as emergencies under section 301(b)(2) of the FY 2009 concurrent budget resolution (S. Con. Res. 70). These amounts do not count against the section 302(b) allocations.
[2] Sections 423(a) and 423(b) of the FY 2010 concurrent budget resolution (S. Con. Res. 13). These amounts do not count against the section 302(b) allocations.
[3] As approved by the Committee on Appropriations on July 8, 2008.

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget Act, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

	Millions
Budget Authority, 2009	$96,717
Outlays:	
2009	27,621
2010	36,129
2011	19,969
2012	8,216
2013 and future years	4,399

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget Act, the financial assistance to State and local governments is as follows:

	Millions
Budget Authority	$660
Fiscal Year 2009 outlays resulting therefrom	197

CONSTITUTIONAL AUTHORITY

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the following statement cites the specific powers granted in the Constitution to enact the law proposed by this bill:

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states:

> No money shall be drawn from the Treasury but in consequence of Appropriations made by law . . .

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

> The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

DISCLOSURE OF EARMARKS

The following table is submitted in compliance with clause 9 of rule XXI, and lists the congressional earmarks (as defined in paragraph (e) of clause 9) contained in the bill or in this report. Neither the bill nor the report contain any limited tax benefits or limited tariff benefits as defined in paragraphs (f) or (g) of clause 9 of rule XXI.

TITLE II—MILITARY CONSTRUCTION, FOREIGN OPERATIONS, AND OTHER MATTERS

Agency	Account	Project	Amount	Requester
Coast Guard	General Provision	Concerning a certificate of documentation for the Drydock Alabama		Bonner, Jo
Coast Guard	General Provision	Concerning a certificate of documentation for the vessel Maryland Independence		Ruppersberger, C.A. Dutch

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 132 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

[SEC. 132. LIMITATION ON RETIRING C–5 AIRCRAFT.

[(a) LIMITATION.—The Secretary of the Air Force may not proceed with a decision to retire C–5A aircraft from the active inventory of the Air Force in any number that would reduce the total number of such aircraft in the active inventory below 112 until—

[(1) the Air Force has modified a C–5A aircraft to the configuration referred to as the Reliability Enhancement and Reengining Program (RERP) configuration, as planned under the C–5 System Development and Demonstration program as of May 1, 2003; and

[(2) the Director of Operational Test and Evaluation of the Department of Defense—

[(A) conducts an operational evaluation of that aircraft, as so modified; and

[(B) provides to the Secretary of Defense and the congressional defense committees an operational assessment.

[(b) OPERATIONAL EVALUATION.—An operational evaluation for purposes of paragraph (2)(A) of subsection (a) is an evaluation, conducted during operational testing and evaluation of the aircraft, as so modified, of the performance of the aircraft with respect to reliability, maintainability, and availability and with respect to critical operational issues.

[(c) OPERATIONAL ASSESSMENT.—An operational assessment for purposes of paragraph (2)(B) of subsection (a) is an operational assessment of the program to modify C–5A aircraft to the configuration referred to in subsection (a)(1) regarding both overall suitability and deficiencies of the program to improve performance of the C–5A aircraft relative to requirements and specifications for reliability, maintainability, and availability of that aircraft as in effect on May 1, 2003.]

DIVISION F OF THE OMNIBUS APPROPRIATIONS ACT, 2009

DIVISION F—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2009

* * * * * * *

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

* * * * * * *

ADMINISTRATION FOR CHILDREN AND FAMILIES

* * * * * * *

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 310 and 316 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), sections 330F and 330G of the Public Health Service Act ("PHS Act"), the Abandoned Infants Assistance Act of 1988, sections 261 and 291 of the Help America Vote Act of 2002, part B–1 of title IV and sections 413, 1110, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act ("CSBG Act"), sections 439(i), 473B, and 477(i) of the Social Security Act, and the Assets for Independence Act; and for necessary administrative expenses to carry out such Acts and titles I, IV, V, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960, the Low-Income Home Energy Assistance Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 505 of the Family Support Act of 1988, $9,301,111,000, of which $36,500,000, to remain available through September 30, 2010, shall be for grants to States for adoption incentive payments, as authorized by section 473A of the Social Security Act and may be made for adoptions completed before September 30, 2009**[**: *Provided,* That without regard to the fiscal year limitations set forth in section 473A of the Social Security Act, from the amounts appropriated herein, the Secretary shall pay adoption incentives for fiscal year 2008 in the same manner as such incentives were awarded in fiscal year 2008 for the previous fiscal year**]**: *Provided* **[***further***]**, That $7,112,786,000 shall be for making payments under the Head Start Act, of which $2,000,000, to remain available through September 30, 2010, shall be designated to fund section 657B: *Provided further*, That $746,000,000 shall be for making payments under the CSBG Act: *Provided further,* That not less than $10,000,000 shall be for section 680(3)(B) of the CSBG Act: *Provided further*, That in addition to amounts provided herein, $5,762,000 shall be available from amounts available under section 241 of the PHS Act to carry out the provisions of section 1110 of the Social Security Act: *Provided further,* That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the CSBG Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary of Health and Human Services shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section

680(a)(2)(A) of the CSBG Act: *Provided further*, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That these procedures shall apply to such grant funds made available after November 29, 1999: *Provided further*, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: *Provided further,* That $47,688,000 shall be for a compassion capital fund to provide grants to charitable organizations to emulate model social service programs and to encourage research on the best practices of social service organizations: *Provided further,* That $17,410,000 shall be for activities authorized by the Help America Vote Act of 2002, of which $12,154,000 shall be for payments to States to promote access for voters with disabilities, and of which $5,256,000 shall be for payments to States for protection and advocacy systems for voters with disabilities: *Provided further*, That $94,659,000 shall be for making competitive grants to provide abstinence education (as defined by section 510(b)(2) of the Social Security Act) to adolescents, and for Federal costs of administering the grants: *Provided further*, That grants under the immediately preceding proviso shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grants, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which abstinence education was provided: *Provided further,* That information provided through such competitive grants for abstinence education shall be scientifically accurate and shall comply with section 317P(c)(2) of the PHS Act: *Provided further*, That within amounts provided herein for abstinence education for adolescents, up to $10,000,000 may be available for a national abstinence education campaign: *Provided further,* That in addition to amounts provided herein for abstinence education for adolescents, $4,455,000 shall be available from amounts available under section 241 of the PHS Act to carry out evaluations (including longitudinal evaluations) of adolescent pregnancy prevention approaches: *Provided further,* That up to $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness: *Provided further,* That $16,910,000 shall be used for the projects, and in the amounts, specified under the heading "Children and Families Services Programs" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

* * * * * * *

ROLL CALL VOTES TAKEN IN COMMITTEE

As required by clause 3(b) of Rule XIII, following are the results of the roll call votes taken during committee consideration of the bill.

ROLL CALL NO. 1

Date: May 7, 2009
Measure: Supplemental Appropriations Act, 2009
Motion by: Mr. Lewis
Description: To amend the amendment offered by Mr. Obey to revise the language in title I for the Pakistan Counterinsurgency Fund such that the resulting language would match that proposed in the request.
Result: Rejected, 22 yeas to 36 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Bishop
Mr. Alexander	Mr. Boyd
Mr. Bonner	Mr. Chandler
Mr. Calvert	Mr. Davis
Mr. Carter	Ms. DeLauro
Mr. Cole	Mr. Dicks
Mr. Crenshaw	Mr. Edwards
Mr. Culberson	Mr. Farr
Mrs. Emerson	Mr. Fattah
Mr. Frelinghuysen	Mr. Hinchey
Ms. Granger	Mr. Honda
Mr. Kingston	Mr. Israel
Mr. Kirk	Mr. Jackson
Mr. Latham	Ms. Kaptur
Mr. LaTourette	Mr. Kennedy
Mr. Lewis	Ms. Kilpatrick
Mr. Rehberg	Ms. Lee
Mr. Rogers	Mrs. Lowey
Mr. Simpson	Ms. McCollum
Mr. Tiahrt	Mr. Mollohan
Mr. Wolf	Mr. Moran
Mr. Young	Mr. Murtha
	Mr. Obey
	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Ms. Roybal-Allard
	Mr. Ruppersberger
	Mr. Ryan
	Mr. Salazar
	Mr. Schiff
	Mr. Serrano
	Mr. Visclosky
	Ms. Wasserman Schultz

ROLL CALL VOTES TAKEN IN COMMITTEE

As required by clause 3(b) of Rule XIII, following are the results of the roll call votes taken during committee consideration of the bill.

ROLL CALL NO. 2

Date: May 7, 2009

Measure: Supplemental Appropriations Act, 2009

Motion by: Mr. Tiahrt

Description: An amendment to permanently prohibit funds from being used for the transfer or release of individuals detained at Guantanamo Bay, Cuba into the United States.

Result: Rejected, 21 yeas to 36 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Bishop
Mr. Alexander	Mr. Boyd
Mr. Calvert	Mr. Chandler
Mr. Carter	Mr. Davis
Mr. Cole	Ms. DeLauro
Mr. Crenshaw	Mr. Dicks
Mr. Culberson	Mr. Edwards
Mrs. Emerson	Mr. Farr
Mr. Frelinghuysen	Mr. Fattah
Ms. Granger	Mr. Hinchey
Mr. Kingston	Mr. Honda
Mr. Kirk	Mr. Israel
Mr. Latham	Mr. Jackson
Mr. LaTourette	Ms. Kaptur
Mr. Lewis	Mr. Kennedy
Mr. Rehberg	Ms. Kilpatrick
Mr. Rogers	Ms. Lee
Mr. Simpson	Mrs. Lowey
Mr. Tiahrt	Ms. McCollum
Mr. Wolf	Mr. Mollohan
Mr. Young	Mr. Moran
	Mr. Murtha
	Mr. Obey
	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Ms. Roybal-Allard
	Mr. Ruppersberger
	Mr. Ryan
	Mr. Salazar
	Mr. Schiff
	Mr. Serrano
	Mr. Visclosky
	Ms. Wasserman Schultz

ROLL CALL VOTES TAKEN IN COMMITTEE

As required by clause 3(b) of rule XIII, following are the results of the roll call votes taken during committee consideration of the bill.

ROLL CALL NO. 3

Date: May 7, 2009
Measure: Supplemental Appropriations Act, 2009
Motion by: Mr. Rogers
Description: An amendment to add $200,000,000 in funding for various Federal and local law enforcement and border security programs to combat drug cartels and border violence, to be offset by a reduction in funds in the Global Health and Child Survival, Economic Support Fund, and the Nonproliferation, Anti-terrorism, Demining programs accounts.
Result: Rejected, 22 yeas to 35 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Bishop
Mr. Alexander	Mr. Boyd
Mr. Bonner	Mr. Chandler
Mr. Calvert	Mr. Davis
Mr. Carter	Ms. DeLauro
Mr. Cole	Mr. Dicks
Mr. Crenshaw	Mr. Edwards
Mr. Culberson	Mr. Farr
Mrs. Emerson	Mr. Fattah
Mr. Frelinghuysen	Mr. Hinchey
Ms. Granger	Mr. Honda
Mr. Kingston	Mr. Israel
Mr. Kirk	Mr. Jackson
Mr. Latham	Ms. Kaptur
Mr. LaTourette	Mr. Kennedy
Mr. Lewis	Ms. Kilpatrick
Mr. Rehberg	Ms. Lee
Mr. Rogers	Mrs. Lowey
Mr. Simpson	Mr. Mollohan
Mr. Tiahrt	Mr. Moran
Mr. Wolf	Mr. Murtha
Mr. Young	Mr. Obey
	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Ms. Roybal-Allard
	Mr. Ruppersberger
	Mr. Ryan
	Mr. Salazar
	Mr. Schiff
	Mr. Serrano
	Mr. Visclosky
	Ms. Wasserman Schultz

ROLL CALL VOTES TAKEN IN COMMITTEE

As required by clause 3(b) of rule XIII, following are the results of the roll call votes taken during committee consideration of the bill.

ROLL CALL NO. 4

Date: May 7, 2009

Measure: Supplemental Appropriations Act, 2009

Motion by: Mr. Frelinghuysen

Description: An amendment to strike various rescissions of funds provided in the FY 2009 Defense Appropriations Act for fuel costs and other programs proposed in the bill.

Result: Rejected, 22 yeas to 35 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Bishop
Mr. Alexander	Mr. Boyd
Mr. Bonner	Mr. Chandler
Mr. Calvert	Mr. Davis
Mr. Carter	Ms. DeLauro
Mr. Cole	Mr. Dicks
Mr. Crenshaw	Mr. Edwards
Mr. Culberson	Mr. Farr
Mrs. Emerson	Mr. Fattah
Mr. Frelinghuysen	Mr. Hinchey
Ms. Granger	Mr. Honda
Mr. Kingston	Mr. Israel
Mr. Kirk	Mr. Jackson
Mr. Latham	Mr. Kennedy
Mr. LaTourette	Ms. Kilpatrick
Mr. Lewis	Ms. Lee
Mr. Rehberg	Mrs. Lowey
Mr. Rogers	Ms. McCollum
Mr. Simpson	Mr. Mollohan
Mr. Tiahrt	Mr. Moran
Mr. Wolf	Mr. Murtha
Mr. Young	Mr. Obey
	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Ms. Roybal-Allard
	Mr. Ruppersberger
	Mr. Ryan
	Mr. Salazar
	Mr. Schiff
	Mr. Serrano
	Mr. Visclosky
	Ms. Wasserman Schultz

ROLL CALL VOTES TAKEN IN COMMITTEE

As required by clause 3(b) of rule XIII, following are the results of the roll call votes taken during committee consideration of the bill.

ROLL CALL NO. 5

Date: May 7, 2009

Measure: Supplemental Appropriations Act, 2009

Motion by: Mr. Wolf

Description: An amendment to prohibit funds to transfer or release individuals detained at Guantanamo Bay, Cuba into the United States prior to October 1, 2009, and to require certain plans to be submitted to the Congress regarding the proposed disposition of such individuals and the costs associated with the closure of Guantanamo Bay.

Result: Rejected, 20 Yeas to 32 Nays.

Members Voting Yea	*Members Voting Nay*
Mr. Alexander	Mr. Bishop
Mr. Bonner	Mr. Boyd
Mr. Calvert	Mr. Chandler
Mr. Carter	Mr. Davis
Mr. Cole	Ms. DeLauro
Mr. Crenshaw	Mr. Edwards
Mr. Culberson	Mr. Farr
Mrs. Emerson	Mr. Fattah
Mr. Frelinghuysen	Mr. Hinchey
Ms. Granger	Mr. Israel
Mr. Kingston	Mr. Kennedy
Mr. Latham	Ms. Kilpatrick
Mr. LaTourette	Ms. Lee
Mr. Lewis	Mrs. Lowey
Mr. Rehberg	Ms. McCollum
Mr. Rogers	Mr. Mollohan
Mr. Simpson	Mr. Moran
Mr. Tiahrt	Mr. Murtha
Mr. Wolf	Mr. Obey
Mr. Young	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Ms. Roybal-Allard
	Mr. Ruppersberger
	Mr. Ryan
	Mr. Salazar
	Mr. Schiff
	Mr. Serrano
	Mr. Visclosky
	Ms. Wasserman Schultz

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
SUPPLEMENTAL APPROPRIATIONS ACT, 2009			
TITLE I			
DEFENSE MATTERS			
Military Personnel			
Military Personnel, Army	10,195,106	10,924,641	+729,535
Military Personnel, Navy	1,354,782	1,716,827	+362,045
Military Personnel, Marine Corps	1,419,979	1,577,850	+157,871
Military Personnel, Air Force	1,390,554	1,783,208	+392,654
Reserve Personnel, Army	284,155	381,155	+97,000
Reserve Personnel, Navy	39,478	39,478	---
Reserve Personnel, Marine Corps	29,179	29,179	---
Reserve Personnel, Air Force	16,943	16,943	---
National Guard Personnel, Army	1,439,333	1,373,273	-66,060
National Guard Personnel, Air Force	17,860	101,360	+83,500
TOTAL, Military Personnel	16,187,369	17,943,914	+1,756,545

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
Operation and Maintenance			
Operation & Maintenance, Army	14,119,401	14,024,703	-94,698
Operation & Maintenance, Navy	2,390,116	2,367,959	-22,157
(Transfer out)	(-129,503)	(-129,503)	---
Operation & Maintenance, Marine Corps	1,090,842	1,084,081	-6,761
Operation & Maintenance, Air Force	6,294,031	6,216,729	-77,302
Operation & Maintenance, Defense-Wide	5,667,483	5,353,701	-313,782
(Transfer out)	(-30,000)	(-30,000)	---
Operation & Maintenance, Army Reserve	115,017	101,317	-13,700
Operation & Maintenance, Navy Reserve	25,569	24,318	-1,251
Operation & Maintenance, Marine Corps Reserve	30,775	30,775	---
Operation & Maintenance, Air Force Reserve	34,599	34,599	---
Operation & Maintenance, Army National Guard	203,399	178,446	-24,953
Subtotal, Operation and Maintenance	29,971,232	29,416,628	-554,604
Iraq Freedom Fund	415,000	365,000	-50,000
Afghanistan Security Forces Fund	3,606,939	3,606,939	---
Pakistan Counterinsurgency Capability Fund 1/	400,000	---	-400,000
Pakistan Counterinsurgency Fund	---	400,000	+400,000
TOTAL, Operation and Maintenance	34,393,171	33,788,567	-604,604

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
Procurement			
Aircraft Procurement, Army	762,604	1,285,304	+522,700
Missile Procurement, Army	767,141	677,141	-90,000
Procurement of Weapons and Tracked Combat Vehicles, Army	1,683,371	2,233,871	+550,500
Procurement of Ammunition, Army	230,075	230,075	---
Other Procurement, Army	8,121,572	8,039,349	-82,223
Aircraft Procurement, Navy	600,999	691,924	+90,925
Weapons Procurement, Navy	99,540	31,698	-67,842
Procurement of Ammunition, Navy and Marine Corps	348,919	348,919	---
Other Procurement, Navy	264,826	172,095	-92,731
Procurement, Marine Corps	1,638,386	1,509,986	-128,400
Aircraft Procurement, Air Force	2,378,818	5,138,268	+2,759,450
Missile Procurement, Air Force	57,416	57,416	---
Procurement of Ammunition, Air Force	183,684	183,684	---
Other Procurement, Air Force	1,834,953	1,745,761	-89,192
Procurement, Defense-Wide	197,068	200,068	+3,000
National Guard and Reserve Equipment	---	500,000	+500,000
TOTAL, Procurement	19,169,372	23,045,559	+3,876,187

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
Research, Development, Test and Evaluation			
Research, Development, Test & Evaluation, Army	73,734	73,734	---
Research, Development, Test & Evaluation, Navy	144,536	96,231	-48,305
Research, Development, Test & Evaluation, Air Force...	108,259	92,574	-15,685
Research, Development, Test and Evaluation, Defense-Wide	483,368	459,391	-23,977
TOTAL, Research, Development, Test and Evaluation.....	809,897	721,930	-87,967
Revolving and Management Funds			
Defense Working Capital Funds, Army.....	443,200	443,200	---
Defense Working Capital Funds, Defense-Wide	403,526	403,526	---
TOTAL, Revolving and Management Funds.....	846,726	846,726	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
Other Department of Defense Programs			
Defense Health Program:			
Operation and maintenance	845,508	845,508	---
Procurement	30,185	50,185	+20,000
Research and development	33,604	201,604	+168,000
TOTAL, Defense Health Program	909,297	1,097,297	+188,000
Drug Interdiction and Counter-Drug Activities, Defense	141,198	137,198	-4,000
Joint Improvised Explosive Device Defeat Fund:			
Attack the Network	499,830	499,830	---
Defeat the Device	607,389	457,389	-150,000
Train the Force	333,527	333,527	---
Staff and Infrastructure	26,000	26,000	---
TOTAL, Joint IED Defeat Fund	1,466,746	1,316,746	-150,000
Mine Resistant Ambush Protected Vehicle Fund	2,693,000	4,843,000	+2,150,000
Office of the Inspector General	9,551	9,551	---
TOTAL, Other Department of Defense Programs	5,219,792	7,403,792	+2,184,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
Title I General Provisions			
Special DE transfer authority (this title only).....	(4,000,000)	(2,000,000)	(-2,000,000)
Additional transfer authority.....	(1,500,000)	---	(-1,500,000)
Defense Cooperation Account.....	6,500	6,500	---
Iraq Security Forces Fund	1,000,000	1,000,000	---
(rescission) (emergency).....	-1,000,000	-1,000,000	---
Afghanistan Security Forces Fund.....	125,000	125,000	---
(rescission) (emergency).....	-125,000	-125,000	---
Fuel (rescission).....	-2,910,000	-3,010,000	-100,000
Personnel: Army, Army Reserve, & Army National Guard .	470,900	---	-470,900
Procurement, Army (rescission).....	-470,900	---	+470,900
Personnel: Army, Army Reserve, and Army National Guard (by transfer).....	---	(150,600)	(+150,600)
Procurement, Army (transfer out).....	---	(-150,600)	(-150,600)
Operation & maintenance, Defense-Wide (rescission) 2/.	-181,500	-181,500	---
Stop Loss Transfer Fund.....	---	734,400	+734,400
TOTAL, Title I General Provisions.....	-3,085,000	-2,450,600	+634,400
TOTAL, TITLE I.....	73,541,327	81,299,888	+7,758,561

Title I:
1/ An additional $400M recommended under International Security Assistance, Pakistan Counterinsurgency Capability Fund (Title II, Chapter 10)
2/ Budget request includes rescission to fund Military Construction, Defense-Wide

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
TITLE II			
MILITARY CONSTRUCTION, FOREIGN OPERATIONS, AND OTHER SECURITY-RELATED MATTERS			
CHAPTER 1--AGRICULTURE			
DEPARTMENT OF AGRICULTURE			
Foreign Agricultural Service			
Public Law 480 Title II Grants	300,000	500,000	+200,000
Chapter 1 General Provisions			
Agricultural Credit Insurance Fund Program Account:			
Additional Loan authorizations:			
Farm ownership loans:			
Direct.....	---	(360,000)	(+360,000)
Farm operating loans:			
Direct.....	---	(400,000)	(+400,000)
Unsubsidized guaranteed.....	---	(50,201)	(+50,201)
Subtotal.....	---	(450,201)	(+450,201)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
Additional Loan subsidies:			
Farm ownership loans:			
Direct	---	22,860	+22,860
Farm operating loans:			
Direct	---	47,160	+47,160
Unsubsidized guaranteed	---	1,250	+1,250
Subtotal	---	48,410	+48,410
Rural Development mission (rescission)(emergency)	---	-71,270	-71,270
Total, Agricultural Credit Insurance Fund	---	---	---
(Loan authorization)	---	(810,201)	(+810,201)
TOTAL, CHAPTER 1	300,000	500,000	+200,000
CHAPTER 2--JUSTICE			
DEPARTMENT OF JUSTICE			
General Administration			
Salaries and expenses	30,000	---	-30,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
Legal Activities			
Salaries and expenses, general legal activities.....	1,648	1,648	---
United States Attorneys, Salaries and expenses.....	5,000	5,000	---
National Security Division			
Salaries and expenses.....	1,389	1,389	---
Bureau of Alcohol, Tobacco, Firearms, and Explosives			
Salaries and expenses.....	4,000	4,000	---
Federal Prison System			
Salaries and expenses.....	5,038	5,038	---
Chapter 2 General Provisions			
Office of Inspector General.....	---	3,000	+3,000
(rescission) (emergency).....	---	-3,000	-3,000
TOTAL, CHAPTER 2	47,075	17,075	-30,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 3--ENERGY			
DEPARTMENT OF ENERGY			
Energy Programs			
Strategic Petroleum Reserve			
Strategic Petroleum Reserve (by transfer).....	(21,586)	(21,586)	---
National Nuclear Security Administration			
Defense Nuclear Nonproliferation.....	89,500	55,000	-34,500
TOTAL, CHAPTER 3	89,500	55,000	-34,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 4--GENERAL GOVERNMENT			
EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT			
Unanticipated Needs			
Unanticipated needs for influenza 1/.....	(1,500,000)	---	(-1,500,000)
National Security Council			
Salaries and expenses.....	2,936	2,936	---
TOTAL, CHAPTER 4.....	2,936	2,936	---

Chapter 4:
1/ Amount of new budget authority requested that was considered and funded under Health and Human Services, Chapter 7.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 6--INTERIOR AND ENVIRONMENT			
DEPARTMENT OF THE INTERIOR			
Department-Wide Programs			
Wildland Fire Management	50,000	50,000	---
(transfer authority)	(50,000)	(50,000)	---
DEPARTMENT OF AGRICULTURE			
Forest Service			
Wildland Fire Management	200,000	200,000	---
(transfer authority)	(50,000)	(50,000)	---
TOTAL, CHAPTER 6	250,000	250,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 7--HEALTH AND HUMAN SERVICES			
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Office of the Secretary			
Public Health and Social Services Emergency Fund 1/...	1,500,000	1,850,000	+350,000
TOTAL, CHAPTER 7.....	1,500,000	1,850,000	+350,000

Chapter 7:
1/ Budget request proposes funds under the Executive Office of the President, including transfer authority.

CHAPTER 8--LEGISLATIVE BRANCH			
Capitol Police			
General expenses.....	71,606	71,606	---
TOTAL, CHAPTER 8.....	71,606	71,606	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 9--MILITARY CONSTRUCTION			
Military construction, Army	1,229,731	1,407,231	+177,500
(rescission) (emergency)	---	-142,500	-142,500
Military construction, Navy and Marine Corps	239,031	235,881	-3,150
Military construction, Air Force	280,970	279,120	-1,850
(rescission) (emergency)	---	-30,000	-30,000
Military construction, Defense-Wide 1/	181,500	1,086,968	+905,468
Subtotal, Military construction	1,931,232	2,836,700	+905,468
North Atlantic Treaty Organization Security Investment Program	100,000	100,000	---
Department of Defense Base Closure Account 2005	263,300	263,300	---
TOTAL, CHAPTER 9	2,294,532	3,200,000	+905,468

Chapter 9:
1/ Budget request includes rescission of $181.5M from O&M, Defense-Wide under Title I

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 10--STATE, FOREIGN OPERATIONS AND RELATED PROGRAMS			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and consular programs	594,315	1,016,215	+421,900
Worldwide security protection	(117,983)	(403,983)	(+286,000)
(transfer authority)	(137,600)	(157,600)	(+20,000)
International Broadcasting Operations, Pakistan-Afghanistan Border Region (by transfer)	---	(10,900)	(+10,900)
Office of Inspector General	7,201	17,123	+9,922
Special Inspector General for Afghanistan Reconstruction (by transfer)	(7,201)	(7,201)	---
Embassy security, construction, and maintenance	898,728	989,628	+90,900
Total, Administration of Foreign Affairs	1,500,244	2,022,966	+522,722
International Organizations			
Contributions for international peacekeeping activities, current year	836,900	836,900	---
Total, International Organizations	836,900	836,900	---
Total, Department of State	2,337,144	2,859,866	+522,722

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT			
Funds Appropriated to the President			
Operating expenses	152,600	152,600	---
Capital investment fund	48,500	48,500	---
Office of Inspector General	---	3,500	+3,500
(by transfer)	---	(2,000)	(+2,000)
Total, U.S. Agency for International Development	201,100	204,600	+3,500
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
Global health and child survival	---	300,000	+300,000
Development assistance	38,000	---	-38,000
International disaster assistance	200,000	200,000	---
Economic Support Fund	2,874,500	2,907,500	+33,000
(Transfer out)	---	(-2,000)	(-2,000)
Assistance for Europe, Eurasia and Central Asia	242,500	242,500	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
Department of State			
International narcotics control and law enforcement	389,500	483,500	+94,000
Nonproliferation, anti-terrorism, demining and related programs	122,000	98,500	-23,500
Migration and refugee assistance	293,000	343,000	+50,000
Total, Bilateral Economic Assistance	4,159,500	4,575,000	+415,500
INTERNATIONAL SECURITY ASSISTANCE			
Funds Appropriated to the President			
Peacekeeping operations	50,000	80,000	+30,000
International Military Education and Training	2,000	2,000	---
Foreign Military Financing Program	98,400	1,349,000	+1,250,600
Pakistan Counterinsurgency Capability Fund 1/	---	400,000	+400,000
Total, International Security Assistance	150,400	1,831,000	+1,680,600
TOTAL, CHAPTER 10	6,848,144	9,470,466	+2,622,322

Chapter 10:
1/ Budget request includes $400M under Title I.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
(Amounts in thousands)

	FY 2009 Request	Recommended in the Bill	Bill vs. Request
TOTAL, TITLE II	11,403,793	15,417,083	+4,013,290
Grand total	84,945,120	96,716,971	+11,771,851
Appropriations	(89,632,520)	(101,280,241)	(+11,647,721)
Rescissions	(-3,562,400)	(-3,191,500)	(+370,900)
Rescissions (emergency)	(-1,125,000)	(-1,371,770)	(-246,770)
(By transfer)	(28,787)	(192,287)	(+163,500)
(Transfer out)	(-159,503)	(-312,103)	(-152,600)

NOTE: Title III of the Bill includes a provision that designates the recommended amounts in Chapters 6, 7, and 8 of Title II as emergency needs pursuant to section 423(b) of S.Con.Res.13, the FY 2010 concurrent budget resolution. Title III also includes a provision that designates all other recommended amounts in the Bill as overseas deployments and other activities pursuant to sections 423(a)(1) and 423(a)(2) of S.Con.Res.13.

ADDITIONAL VIEWS BY MESSRS. LEWIS, YOUNG, ROGERS, WOLF, KINGSTON, FRELINGHUYSEN, TIAHRT, WAMP, LATHAM, ADERHOLT, EMERSON, GRANGER, SIMPSON, CULBERSON, KIRK, CRENSHAW, REHBERG, CARTER, ALEXANDER, CALVERT, BONNER, LATOURETTE, AND COLE

The fiscal year 2009 Supplemental Appropriations bill to address our continuing efforts in the Global War on Terror was largely developed in the bipartisan tradition that has been the hallmark of Defense-related appropriations bills. The Nation remains committed to maintaining the successes our brave troops and other deployed personnel have achieved in Iraq. At the same time we must ask them to continue their sacrifices in Afghanistan and elsewhere. We as a Committee have a responsibility to those brave individuals to ensure that they have the resources they need when they need them. Despite our concerns with the manner in which this bill was considered by the Full Committee, including the failure of the Committee to adopt amendments that would have improved the bill, we support moving this bill forward so that our brave men and women engaged in the Global War on Terror have the resources they need to be successful.

DEFENSE FUNDING

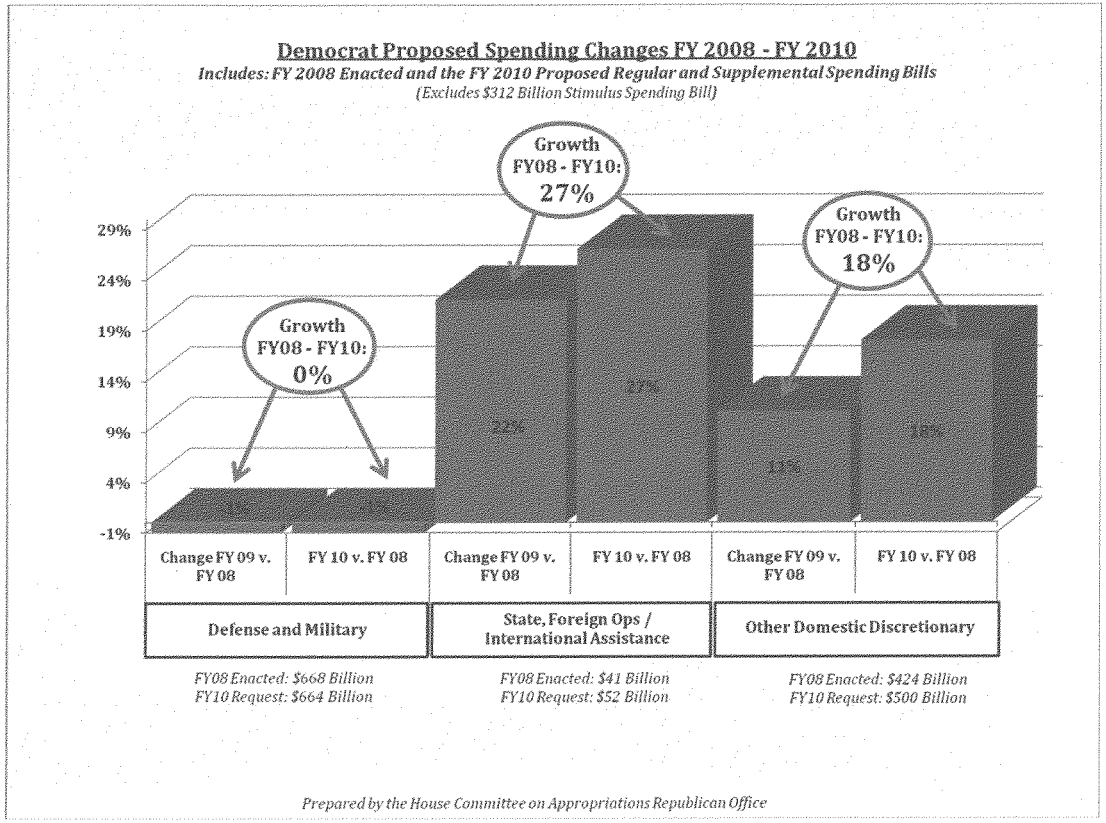
We believe the Defense section of this bill is a good product that provides the needed resources for the Department of Defense and the warfighter. In total, it provides $84.5 billion for the remaining fiscal year 2009 requirements for military operations in Afghanistan and Iraq. It was put together in the Defense Subcommittee's strong tradition of bi-partisanship and comity.

In addition to personnel and operations, the bill provides the warfighter with the tools needed to do their job. Specifically, it provides $4.9 billion for 1,800 MRAP—All Terrain Vehicles. These new, lighter variants are specifically designed for the more rugged terrain in Afghanistan. The bill also provides $2.25 billion for 8 C–17s and $904 million for 11 C–130Js. These two planes are performing the vast majority of our strategic and infra-theater airlift, many flying well beyond their expected annual average flight hours. Funds are also included for F–22s, Strykers, Psychological Health and Traumatic Brain Injury Research, National Guard and Reserve Equipment, and Family Advocacy Programs.

Despite the bi-partisan nature of the Defense mark, an amendment was offered by Ranking Member Young in Full Committee. The amendment struck the general provision which rescinded $3.0 billion dollars in non-emergency fiscal year 2009 funds, and instead transferred these unspent fiscal year 2009 funds to purchase 280 additional MRAP–ATVs, 3 additional C–17s, 4 additional C–130Js, and provided just over $1.4 billion to help address the Department's $2.5 billion Military Personnel fiscal year 2009 shortfall,

which had not been addressed in the Chairman's mark. A substitute amendment to the Young amendment was offered by Chairman Murtha which simply spent $2.5 billion in new emergency funds to address the Military Personnel shortfall. Despite being accepted, the Murtha substitute amendment did not, however, strike the provision rescinding the $3.0 billion from base fiscal year 2009 funds. In other words, the Defense fiscal year 2009 baseline was still reduced by $3.0 billion; a reduction that will likely carry forward into the fiscal year 2010 allocation.

In an attempt to correct this omission, the Frelinghuysen amendment moved to simply strike that rescission. Unfortunately that amendment, which would have preserved fiscal year 2009 Defense funding for use by the Department to address billions of dollars in valid unfunded Defense requirements, was defeated on a party line vote of 22–35. Of equal concern to those of us who supported the Frelinghuysen amendment, is that some in the Majority may use this $3 billion cut made to the fiscal year 2009 Defense funding in this bill as a justification to make a permanent $3 billion cut to the Defense spending when the fiscal year 2010 allocation for the Defense bill is built. We continue to oppose this provision and the unjustified reduction to the Defense allocation despite valid and critical unfunded requirements. We fear that these cuts may be a preview of things to come in the FY 2010 appropriations process based on the trends in spending we have seen under the Democrat majority as indicated in the following chart.


Democrat Proposed Spending Changes FY 2008 - FY 2010
Includes: FY 2008 Enacted and the FY 2010 Proposed Regular and Supplemental Spending Bills
(Excludes $312 Billion Stimulus Spending Bill)
Growth FY08 - FY10: 0%
Growth FY08 - FY10: 27%
Growth FY08 - FY10: 18%
29%
24%
19%
14%
9%
4%
-1%
1%
1%
22%
27%
11%
18%
Change FY 09 v. FY 08
FY 10 v. FY 08
Change FY 09 v. FY 08
FY 10 v. FY 08
Change FY 09 v. FY 08
FY 10 v. FY 08
Defense and Military
State, Foreign Ops / International Assistance
Other Domestic Discretionary
FY08 Enacted: $668 Billion
FY10 Request: $664 Billion
FY08 Enacted: $41 Billion
FY10 Request: $52 Billion
FY08 Enacted: $424 Billion
FY10 Request: $500 Billion
Prepared by the House Committee on Appropriations Republican Office

NO PLAN FOR CLOSING GUANTANAMO

The bill Chairman Obey presented to the Committee did not include $80 million requested by the Administration related to closing the Guantanamo Bay detention facility. We believe the Chairman was fully justified in not providing these funds, as the Administration has not provided the Congress with a clear plan of how the facility will wind down, and most importantly, what will be done with the detainees. We as Committee Republicans are particularly concerned about inadequate planning and unacceptable security risks should detainees be released in the U.S. or transferred here for trial or further detention. The detainees include individuals that participated in the planning and execution of terrorist attacks upon America, including 9/11, the attack on the USS Cole, and the U.S. Embassy bombings in Nairobi and Dar es Salaam. The detainees in question include the following individuals who have been identified as the to 10 dangerous terrorists currently housed at Guantanamo Bay.

Top 10 Most Dangerous Terrorists Housed at Guantanamo Bay Detention Facility

The terrorists held at the Guantanamo Bay prison are neither nameless nor faceless, and they are not common criminals. They are some of the world's most cold-blooded terrorists who have dedicated most of their lives to killing Americans and our allies. In short, they are some of the most dangerous men in the world.

Following are the top 10 most dangerous terrorists held at Guantanamo Bay. The decision was recently made to close the facility without a backup plan, meaning these terrorists will be shipped out of isolation and potentially into American communities. After reading the short biographies of these 10 terrorists, are these really the kind of men we want to import into the United States?

	Khalid Sheikh Muhammad The mastermind of the 9/11 attacks, as well as several subsequent plots against American and Western targets worldwide. Masterminded a 2003 plot to smuggle explosives into New York and target gas stations, railroad tracks, and a bridge.
	Hambali Formerly al-Qaeda's operations chief for SouthEast Asia; helped plan the first Bali bombings in 2002 that killed more than 200. Had longstanding ties to al Qaeda senior operative Khalid Sheikh Muhammad.
	Abu Zubaydah Recruited by Osama Bin Laden to be one of al Qaeda's senior travel facilitators. Oversaw the 'Khaldeen group' camp used to train three of the 9/11 hijackers. At the time of his capture, he was attempting to organize a terrorist attack on Israel.
	Ahmed Khalfan Ghailani One of the FBI's Most Wanted terrorists. He has been indicted for his role in the 1998 East Africa Embassy bombings, and has forged or altered passports for many al Qaeda's operatives.

	Mustafa al-Hawsawi One of two key financial facilitators entrusted by 9/11 mastermind Khalid Sheikh Muhammad (KSM) to manage the funding for the hijackings. Met with Osama Bin Laden and his top lieutenant soon after the 9/11 attacks.
	Abd al-Rahim al-Nashiri Mastermind and local manager of the October 2000 bombing of the USS Cole. At the time of his capture, al-Nashiri was orchestrating attacks on U.S. interests in Saudi Arabia and the United Arab Emirates.
	Abu Faraj al-Libi Served as a communications conduit for al Qaeda managers to Osama Bin Laden from August 2003 until his capture in 2005. Took over operational responsibilities in the Pakistan-Afghanistan theater after Khalid Sheikh Muhammad's arrest.
	Walid bin Attash Alternated between serving as a bodyguard for Osama Bin Laden and participating in combat against the Northern Alliance. Osama Bin Laden reportedly selected him to become a 9/11 hijacker, but he was arrested while attempting to obtain a U.S. visa.
	Ramzi Binalshibh Served as the primary communications intermediary between the 9/11 hijackers and al Qaeda's leadership in Afghanistan and Pakistan. Lead operative – until his capture in 2002 – in the post-9/11 plot to crash hijacked aircraft into London's Heathrow Airport.
	Majid Khan Assisted in research into the feasibility of a plan to blow up U.S. gas stations and to poison U.S. water reservoirs. Khan passed a "test" Khalid Sheikh Muhammad orchestrated showing he was committed to become a suicide operative.

While the bill does not provide any additional funding to close Guantanamo, the majority has not required any planning and consultation with Congress, and has done nothing to prevent the Departments of Defense and Justice from continuing ongoing shutdown activities without further Congressional oversight. Right now, the Department of Justice is leading three interagency task forces using existing funds. One of these task forces is reviewing and making recommendations on whether to prosecute, transfer or release each individual at Guantanamo. That effort began immediately with the signature of the executive order on January 22, and continues today with no requirement for Congressional review or input.

During consideration of the bill, Ranking Member Frank Wolf offered an amendment that would have placed a moratorium on releasing or transferring any Guantanamo detainees to the U.S. until the Administration submits a plan for the disposition of each detainee, including how security risks will be addressed, and a certification of the consent of Governors and State legislatures. In addition, the amendment would have required detailed analysis and justification for the full costs of closing Guantanamo, including the potentially enormous costs of trying and detaining individuals in the U.S., and any financial arrangements with other countries agreeing to accept detainees.

Unfortunately, the Wolf amendment was defeated on a party line vote of 20—32. Instead, the Committee adopted a watered-down version of the language, that only requires the Administration to report on what they have done after-the-fact. Before Congress gets this report detainees may already be transferred to detention centers in the U.S., or even released at large into U.S. communities.

In addition, an amendment was offered by Representative Tiahrt to simply prohibit the use of funds to transfer or release Guantanamo detainees to the U.S. Again, this amendment was defeated on a party line vote 21–36.

Foreign terrorists trained to carry out mass-casualty attacks cannot be released in the United States. They also should not be transferred for detention or trial here, nor should they be released abroad, without intensive Congressional involvement to ensure maximum security and consideration of local concerns. By failing to adopt these amendments, we believe the Congress is withdrawing from participation in arriving at the best policies or how to deal with detainees, and rubber-stamping the Administration's ongoing plan to release trained terrorists outright if that is what is necessary to close Guantanamo by the arbitrary date of January 22, 2010.

FORWARD-FUNDING FISCAL YEAR 2010 STATE AND FOREIGN ASSISTANCE REQUIREMENTS

The State-Foreign Operations chapter of this bill raises some serious concerns about the Democrats' ability to live by the budgetary principles they espouse. The bill provides $2.6 billion more than the President requested in supplemental funding for the State Department and foreign assistance. This amounts to a 44 percent increase over the request. It is difficult to find an explanation for this increase other than that the majority is attempting to offload these

items in order to make headroom for other needs in the fiscal year 2010 bill. This offloading of future needs onto this emergency bill is done unabashedly, as the Committee report contains numerous statements that clearly indicate the intention to fund items that are not needed until fiscal year 2010. Is this forward-funding necessary when the President's fiscal year 2010 budget already requests a 42 percent increase for State and international programs? We see absolutely no justification for the Majority to use this emergency wartime supplemental to forward-fund international programs so that they do not have to compete for resources in fiscal year 2010 like all other discretionary programs.

COMPLICATING A CRITICAL COUNTERINSURGENCY EFFORT

The Administration requested $400 million in this bill for a Pakistan Counterinsurgency Capability Fund (PCCF) to be funded through the Defense Department. This fund will support training and equipment for the Pakistan military and security forces to bolster their counterinsurgency efforts. Defense Secretary Gates has noted that the PCCF will be "a vital element of the President's new Afghanistan-Pakistan strategy."[1] Secretary Gates has gone even further by stating that the Defense Department needs the PCCF to address the "unique and urgent circumstances we face in Pakistan—for dealing with a challenge that simultaneously requires wartime and peacetime capabilities."[2] General Petraeus and the U.S. Ambassador on the ground have also asked for this authority.

We objected to the Chairman's original mark which included PCCF in the State Department, instead of the Defense Department as requested, and as a result, Chairman Obey offered an amendment in Committee markup. Unfortunately, the Chairman's amendment missed the mark. Instead of having the Defense Department oversee the PCCF, the Chairman's amendment, as passed in Committee, serves to do nothing more than complicate the implementation of this critical counterinsurgency effort. The bill now provides FY09 funds through the Defense Department, as requested, and also includes "advanced" funds, not to be available until the last day of FY09. The intent behind this is to take a proven Defense Department program and instead require the funds to pass through the State Department first creating an unnecessary layer of bureaucracy and likely delay in funding for this critical activity. Why should the Committee pre-judge whether this shift to the State Department is advisable in an FY09 emergency spending bill. Instead we believe this change, which is contrary to the Administration's own FY10 budget request, should instead be fully vetted as part of the FY10 process. Chairman Obey has committed to completing appropriations bills on time this fiscal year, a goal we fully support. If that is the case, the Committee will have ample time to debate the FY10 Defense and State-Foreign Operations bills.

In addition, the State Department has over $1 billion it still has not spent for assistance to Pakistan, and some of those funds date back to FY07. This raises serious concerns about the State Depart-

[1] Secretary Gates Testimony Submitted to the Senate Appropriations Committee, April 30, 2009.
[2] Ibid.

ment's ability to execute the PCCF quickly and efficiently. Moreover, it is unclear what value, if any, the State Department can bring to the urgent requirement of strengthening the Pakistan military, especially when the Defense Department will actually implement the aid.

It is clear, however, that a new front in the war against terrorism has opened in Pakistan, and we must not hamstring the Defense Department's flexibility to work with Pakistan's military to address this growing threat. Our belief is shared by the Administration, which is why Ranking Member Lewis offered an amendment to fund the PCCF within the Defense Department as requested by the Administration in both their FY09 supplemental request and their FY10 budget request. Unfortunately that amendment was rejected on a party line vote of 22–36. We continue to believe that the placement of the PCCF within the State Department in FY10 is both premature and ill-advised.

FUNDS TO COMBAT DRUG SMUGGLING AND BORDER VIOLENCE

We are baffled that the supplemental includes $470 million to help Mexican authorities counter the growing influence and violence of their drug cartels, but provides nothing to our Federal, State and local law enforcement and border security agencies to address this threatening issue on U.S. soil. We were disappointed that the Rogers amendment was defeated on a party line vote. That amendment would have provided $200 million in critical resources to U.S. law enforcement agencies to address the Mexican drug war spilling over to our side of the border. The amendment was carefully offset with a mere 6.6% reduction in unrequested foreign assistance and would have left in place over $2.8 billion in "emergency" foreign aid.

We believe that the ongoing bloodshed in Mexico and the very real threat of spillover violence to U.S. cities is one of the most pressing homeland security matters facing our Nation. Estimates are that over 7,000 people have been murdered in Mexico as a result of the ongoing drug war between cartels and Mexican authorities since January 2008. Spillover violence connected to drug activity has been documented in Georgia, Alabama, and Arizona. This is not to mention that ninety percent of the cocaine coming into the U.S., which causes incalculable damage to our country and our families, enters the United States via Mexico. Unfortunately this pending supplemental bill provides no resources to address this emerging threat, with the exception of a National Guard contingency fund, the uses of which are unclear, and an unrelated immigrant resettlement program that hardly constitutes counterdrug efforts. The Rogers amendment would have met identified operational needs for our law enforcement and border agencies, including the DEA, the U.S. Marshals Service, and U.S. Attorneys' offices, and advanced interdiction and investigation efforts at the Department of Homeland Security by the Border Patrol, U.S. Coast Guard, and Immigration and Customs Enforcement's border enforcement and interdiction units. The amendment also included critical funding for local law enforcement activities, including Operation Stonegarden. We are disappointed that the Majority rejected this amendment on a party line vote of 22–35.

POTENTIAL CHANGES TO THE COMMITTEE'S LONGSTANDING TRADITIONAL PRACTICES

We are all proud Members of the Appropriations Committee. Many of us have served on this Committee for more than 30 years. We were all drawn to this Committee because we firmly believe that the work of this Committee is one of the most important responsibilities vested in the United States Congress by the Constitution. Equally important, the Committee's longstanding tradition of collegiality, comity and bi-partisanship ensured that this important work was done in a fashion that enabled the Committee to produce the best result possible for the American people. Over our years of service, we have seen this Committee tackle some of the most difficult and controversial issues faced by the Nation, issues on which Members often held principled but differing views.

In the past, it had been a point of pride to the Committee membership that regardless of which party controlled the gavel, even on the most controversial issues, each Committee Member was allowed the opportunity to offer his amendment freely, have his voice heard, and have his amendment voted on directly. If during the course of Committee debate, the Committee membership determined that an alternative amendment was preferable, that alternative was developed based on bi-partisan negotiations with the goal of securing a compromise that was satisfactory to all interested parties. If agreement was not possible, the Committee Member was allowed a free and fair vote on his amendment. This trust and confidence that the Member's prerogative to offer and debate their amendments in a fair and open process has also enabled our very capable professional staff on both sides of the aisle to freely share information with one another in an attempt to forge compromise where possible, and where not, to fully inform the Members for the Committee's debate.

All of these factors have been both reflections and hallmarks of the very best traditions of this Committee. These traditions stressed due consideration of every Member's voice in an informal and collegial legislative process rather the unnecessary parliamentary gamesmanship that has so often plagued other Committees. It is only because of this open and informal collegial process that the Committee has been able to successfully complete its enormous workload in an expeditious fashion and produce legislation reflecting the best interests of the country.

Many of us have been concerned for some time that the Committee's longstanding traditions were not being followed. Last week's Full Committee markup of the supplemental indicates that the Committee may be on the cusp of abandoning those traditions and practices that have distinguished this Committee from all others in the Congress.

During the supplemental markup, the Chairman stated that he wanted to see amendments in advance of their consideration. However, when we shared those amendments as a courtesy with the Majority, they chose to use our courtesy against us to engage in parliamentary maneuvers which thwarted our Members from having votes on their amendments. This unfortunately was not the first time this has occurred. As a result of this parliamentary

gamesmanship, many of us have been reluctant to freely share our amendments with the Majority in advance of the markup due to a lack of confidence in our ability to be able to freely offer those amendments at the markup. We find this trend deeply regrettable. We hope that moving forward this situation can be reversed.

We share the Majority's goal to complete our work expeditiously and in regular order. We believe that moving toward a more formal legislative process in Committee will likely hinder the Committee's ability to complete its important work quickly. Like the Chairman, we fervently hope that fiscal year 2010 will not represent the fourth year in a row that the Committee has failed to consider its bills in regular order. We hope that as we begin consideration of our important work the Committee will return to the open and collegial legislative process that all Members can trust will protect their right to have their views and ideas considered. It is our belief that failure to do so not only does a tremendous disservice to all Committee Members, but to the fine traditions of the Committee itself, and ultimately the American public.

Despite our concerns with the manner in which this bill was considered by the Committee and the failure of the Committee to adopt the amendments we offered, we support moving this bill forward so that our brave men and women engaged in the Global War on Terror have the resources they need to be successful.

JERRY LEWIS.
HAROLD ROGERS.
JACK KINGSTON.
TODD TIAHRT.
TOM LATHAM.
JO ANN EMERSON.
MICHAEL SIMPSON.
MARK KIRK.
BILL YOUNG.
FRANK WOLF.
RODNEY P. FRELINGHUYSEN.
ZACH WAMP.
ROBERT B. ADERHOLT.
KAY GRANGER.
JOHN CULBERSON.
ANDER CRENSHAW.
DENNIS REHBERG.
RODNEY ALEXANDER.
JO BONNER.
TOM COLE.
JOHN CARTER.
KEN CALVERT.
STEVEN LATOURETTE.

ADDITIONAL VIEWS OF TODD TIAHRT

When approaching vital national security issues, Congress has historically acted in a prudent, bipartisan manner to ensure that the interests of the American people are protected. Unfortunately, in a straight party-line vote, Democrats rejected my amendment to prevent terrorists currently held at Guantanamo Bay, Cuba, from coming to the United States. More concerning was the constant belittling of the importance of this debate by the majority. Whether or not terrorists are brought to the United States is indeed an important debate, and our constituents deserve to know where we stand. As the people's representatives, it is our job to stand up to the administration and honor their wish that terrorists not be brought to the United States.

I applaud the Committee for removing the $80 million requested by the administration for an indeterminate plan to bring an undefined number of terrorists to the United States and close the detention facility at Guantanamo Bay. Nothing in this bill, however, will prevent the administration from releasing terrorists in America's neighborhoods. Unless Congress takes preventive actions, the Obama administration will bring dangerous terrorists to our shores.

I do not want terrorists to come to Fort Leavenworth, Kansas, or any American town. Bringing detainees to Fort Leavenworth would conflict with its primary mission of being the educational center of the Army and is impractical from a facilities and logistical perspective. Most importantly, it would place the citizens of Leavenworth, Johnson County, and the greater Kansas City metro area at unnecessary risk. It is ironic that as the Department of Homeland Security works hard to prevent terrorists from crossing our borders; our own government would bring proven terrorists directly to our streets.

The Obama administration has already authorized the release of 30 detainees from Guantanamo Bay to the United States. Dennis Blair, the Director of National Intelligence, has said further that these terrorists should receive welfare benefits: "If we are to release them in the United States, we need some sort of assistance for them to start a new life. You can't just put them on the street."

One of those terrorists currently at Guantanamo Bay is Abu Zubaydah. He was an operations planner and senior facilitator for al-Qaeda operatives. He arranged for terrorists to travel from Afghanistan to Chechnya and Bosnia in the late 1990s and oversaw training camps in Afghanistan between 1995 and 2000. Zubaydah was plotting an attack in Israel at the time of his capture.

Also held at Guantanamo Bay is Ramzi Binalshibh, a key facilitator of the attacks of September 11, 2001. He tried and failed to obtain a visa to enter the United States to take part as a pilot-hijacker. He wasn't dissuaded from his goal and at the time of his

arrest he was plotting to hijack and crash aircraft into Heathrow Airport in London.

Khalid Sheikh Mohammed has been held at Guantanamo Bay since September 2006. The mastermind of the September 11th attacks and a senior al-Qaeda leader, Mohammed first proposed that horrific plot to Osama bin Laden in 1996. He is also responsible for several other horrifying plots such as: the virtually simultaneous in-flight bombings of 12 commercial airliners flying routes between Asia and the United States, the Bali nightclub bombings, the failed bombing of American Airlines Flight 63, and the murder of Daniel Pearl. At the time of his capture in 2003, he was plotting further attacks against the United States and United Kingdom.

These are just three of the terrorists the Obama administration wants to bring here. Today there are 241 hardened terrorists who have killed and/or plotted to kill Americans being held at Guantanamo Bay. These terrorists are among the most dangerous people in the world.

During the debate there were arguments that the detainees housed at Guantanamo Bay are not really terrorists, but innocent civilians. It is dangerous not to understand that these are unrepentant terrorists determined to pursue their long-held violent goals. We know that over 60 of the detainees already released from Guantanamo Bay have returned to a life of terrorism, such as Maulvi Abdul Ghaffar. He was captured in early 2002 and held at Guantanamo Bay for eight months. Upon his release, Ghaffar became the Taliban's regional commander in Uruzgan and Helmand provinces, carrying out attacks on U.S. and Afghan forces.

In September, Saeed Shihri was responsible for an attack on the U.S. embassy in Yemen that killed nearly a dozen people. This was barely a year after he was released from Guantanamo Bay.

Abdallah Salih al-Ajmi, a Kuwaiti, was repatriated from Guantanamo in 2005, and transferred into Kuwaiti custody. After he was acquitted of terrorism charges in Kuwait, he committed a successful suicide attack in Mosul, Iraq on March 25, 2008.

Ibrahim Shafir Sen was transferred from Guantanamo Bay to Turkey in November 2003. In January 2008, Ibrahim Shafir Sen was arrested in Van, Turkey, and charged as the leader of an active al-Qaida cell.

Make no mistake, the detainees at Guantanamo Bay are terrorists who whole-heartedly believe it is their duty to bring harm to Americans. We have treated them humanely, better even than American criminals, and built state-of-the-art facilities to house, feed, care for and even try them in military tribunals. There are no facilities in the United States that meet the standards at Guantanamo Bay, even if Americans wanted to have terrorists in their neighborhoods.

Bringing terrorists to the United States will place our people and communities at risk. I hope Congress reconsiders this action and places appropriate restrictions on the administration to prevent terrorists from being brought and released into the United States.

TODD TIAHRT.

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