BOY SCOUTS OF AMERICA CENTENNIAL COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 5872, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 5872, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 8, not voting 22, as follows:

[Roll No. 327]

YEAS—403

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—8

Baldwin
Frank (MA)
Gutierrez
Kucinich
Lee
McDermott
Stark
Woolsey

NOT VOTING—22

Boehner
Bono Mack
Braley (IA)
Crenshaw
Cummings
DeGette
Dingell
Gerlach
Gillibrand
Hastings (WA)
Hulshof
Larson (CT)
Lewis (KY)
Loebsack
Mack
Marshall
Myrick
Reichert
Rush
Shuster
Walsh (NY)
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1229

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I regret that I could not be present today, Thursday, May 15, 2008, to vote on rollcall votes nos. 323 through 327 due to a funeral. Had I been present, I would have voted:

"Yea" on rollcall No. 323 on agreeing to the motion ordering the previous question on H. Res. 1197, the rule providing for consideration of the Senate amendment to H.R. 2642, the Supplemental Appropriations Act, 2008;

"Yea" on rollcall No. 324 on agreeing to H. Res. 1197, the rule providing for consideration of the Senate amendment to H.R. 2642, the Supplemental Appropriations Act, 2008;

"Yea" on rollcall No. 325 on agreeing to the motion to suspend the rules and pass H.R. 5614, the Original Saint-Gaudens Double Eagle Ultra-High Relief Bullion Coin Act;

"Yea" on rollcall No. 326 on agreeing to the motion to suspend the rules and pass H.R. 406, Alice Paul Women's Suffrage Congressional Gold Medal Act;

"Yea" on rollcall No. 327 on agreeing to the motion to suspend the rules and pass H.R. 5872, the Boy Scouts of America Centennial Commemorative Coin Act.

SUPPLEMENTAL APPROPRIATIONS ACT, 2008

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 1197, I call from the Speaker's table the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. TIERNEY). The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

H.R. 2642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation,

and for construction and operation of facilities in support of the functions of the Commander in Chief, $3,928,149,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $317,149,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $2,168,315,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $115,258,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,048,518,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $64,958,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $1,758,755,000, to remain available until September 30, 2012: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $154,728,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $478,836,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $228,995,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $138,424,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $59,150,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

(INCLUDING RESCISSION OF FUNDS)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $27,559,000, to remain available until September 30, 2012: Provided, That of the funds appropriated for ''Military Construction, Air Force Reserve'' under Public Law 109–114, $3,100,000 are hereby rescinded.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $201,400,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $419,400,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $742,920,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $288,329,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $371,404,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $362,747,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $688,335,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $48,848,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $104,176,000, to remain available until September 30, 2012, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $320,689,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $8,174,315,000, to remain available until expended: Provided, That funds made available under this heading for the construction of facilities are subject to the notification and reprogramming requirements applicable to military construction projects under section 2853 of title 10, United States Code, and section 0703 of the Department of Defense Financial Management Regulation of December 1996, including the requirement to obtain the approval of the congressional defense committees prior to executing certain reprogramming actions.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized

therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea if that country has not increased its defense spending by at least 3 percent in calendar year 2005, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $750,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(INCLUDING TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. (a) The Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Appropriations of both Houses of Congress, by February 15 of each year, an annual report on actions taken by the Department of Defense and the Department of State during the previous fiscal year to encourage host countries to assume a greater share of the common defense burden of such countries and the United States.

(b) The report under subsection (a) shall include a description of—

(1) attempts to secure cash and in-kind contributions from host countries for military construction projects;

(2) attempts to achieve economic incentives offered by host countries to encourage private investment for the benefit of the United States Armed Forces;

(3) attempts to recover funds due to be paid to the United States by host countries for assets deeded or otherwise imparted to host countries upon the cessation of United States operations at military installations;

(4) the amount spent by host countries on defense, in dollars and in terms of the percent of gross domestic product (GDP) of the host country; and

(5) for host countries that are members of the North Atlantic Treaty Organization (NATO), the amount contributed to NATO by host countries, in dollars and in terms of the percent of the total NATO budget.

(c) In this section, the term ''host country'' means other member countries of NATO, Japan, South Korea, and United States allies bordering the Arabian Sea.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 123. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal

year: Provided further, That nothing in this section precludes the Secretary of a military department, after notifying the congressional defense committees and waiting 21 days, from using funds derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, for the maintenance or repair of general and flag officer quarters at the military service academy under the jurisdiction of that Secretary: Provided further, That each Secretary of a military department shall provide an annual report by February 15 to the congressional defense committees on the amount of funds that were derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, in the previous year and were obligated for the construction, improvement, repair, or maintenance of any military facility or infrastructure.

SEC. 124. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

SEC. 126. Funds made available by this title for the construction of facilities identified in the State table of the report accompanying this Act as ''Grow the Force'' projects are subject to the notification and reprogramming requirements applicable to military construction projects under section 2853 of title 10, United States Code, and section 0703 of the Department of Defense Financial Management Regulation of December 1996, including the requirement to obtain the approval of the congressional defense committees prior to executing certain reprogramming actions.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS PROGRAMS

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $41,236,322,000, to remain available until expended: Provided, That not to exceed $28,583,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'' and ''Medical administration'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical care collections fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $3,300,289,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapter 19; 70 Stat. 887; 72 Stat. 487, $41,250,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2008, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $154,562,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $71,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,287,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $311,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $628,000.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37 of title 38, United States Code, not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical services'' may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $28,979,220,000, plus reimbursements: Provided, That of the funds made available under this heading, not to exceed $1,350,000,000 shall remain available until September 30, 2009: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That for the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, a minimum of $15,000,000, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.): $3,642,000,000, plus reimbursements, of which $250,000,000 shall remain available until September 30, 2009.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and

domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $4,092,000,000, plus reimbursements, of which $350,000,000 shall remain available until September 30, 2009: Provided, That not less than $350,000,000 for non-recurring maintenance provided under this heading shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $500,000,000, plus reimbursements, to remain available until September 30, 2009.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $217,709,000, of which not to exceed $25,000,000 shall remain available until September 30, 2009.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,612,031,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than $1,329,044,000: Provided further, That of the funds made available under this heading, not to exceed $75,000,000 shall be available for obligation until September 30, 2009: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978, $88,700,000, of which $3,630,000 shall remain available until September 30, 2009.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $727,400,000, to remain available until expended, of which $2,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2008, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2008; and (2) by the awarding of a construction contract by September 30, 2009: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of both Houses of Congress any approved major construction project in which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $751,398,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131–8137 of title 38, United States Code, $250,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, $100,000,000, to remain available until expended.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; including pay and associated cost for operations and maintenance associated staff; for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $1,898,000,000, to remain available until September 30, 2009: Provided, That none of these funds may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That within 60 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which provides, by project, the costs included in this appropriation.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2008, in this Act or any other Act, for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for fiscal year 2008, in this Act or any other Act, under the ''Medical services'', ''Medical Administration'', and ''Medical facilities'' accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, major projects'', and ''Construction, minor projects'') shall be available for the purchase of any site for the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment

under sections 7901–7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2007.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2008, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2008 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2008 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $32,067,000 for the Office of Resolution Management and $3,148,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to ''General operating expenses'' for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

SEC. 214. Amounts made available under ''Medical services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical services'', to remain available until expended for the purposes of this account.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans eligible under existing Department of Veterans Affairs medical care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the ''Medical services'', ''Medical Administration'', ''Medical facilities'', ''General operating expenses'', and ''National Cemetery Administration'' accounts for fiscal year 2008, may be transferred to or from the ''Information technology systems'' account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. For purposes of perfecting the funding sources of the Department of Veterans Affairs' new ''Information technology systems'' account, funds made available for fiscal year 2008, in this or any other Act, may be transferred from the ''General operating expenses'', ''National Cemetery Administration'', and ''Office of Inspector General'' accounts to the ''Medical services'' account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Amounts made available for the ''Information technology systems'' account may be transferred between projects: Provided, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this Act, or any other Act, may be used to replace the current system by which the Veterans Integrated Services Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. Of the amounts made available for fiscal year 2008, in this Act or any other Act, under the ''Medical Facilities'' account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last two months of the fiscal year.

SEC. 225. PROHIBITION ON DISPOSAL OF DEPARTMENT OF VETERANS AFFAIRS LANDS AND IMPROVEMENTS AT WEST LOS ANGELES MEDICAL CENTER, CALIFORNIA. (a) IN GENERAL.—The Secretary of Veterans Affairs may not declare as excess to the needs of the Department of Veterans Affairs, or otherwise take any action to exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the Department of Veterans Affairs West Los Angeles Medical Center, California, encompassing approximately 388 acres on the north and south sides of Wilshire Boulevard and west of the 405 Freeway.

(b) SPECIAL PROVISION REGARDING LEASE WITH REPRESENTATIVE OF THE HOMELESS.—Notwithstanding any provision of this Act, section 7 of the Homeless Veterans Comprehensive Services Act of 1992 (Public Law 102–590) shall remain in effect.

(c) CONFORMING AMENDMENT.—Section 8162(c)(1) of title 38, United States Code, is amended—

(1) by inserting ''or section 225(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008'' after ''section 421(b)(2) of the Veterans' Benefits and Services Act of 1988 (Public Law 100–322; 102 Stat. 553)''; and

(2) by striking ''that section'' and inserting ''such sections''.

(d) EFFECTIVE DATE.—This section, including the amendment made by this section, shall apply with respect to fiscal year 2008 and each fiscal year thereafter.

SEC. 226. The Department shall continue research into Gulf War Illness at levels not less than those made available in fiscal year 2007, within available funds contained in this Act.

SEC. 227. (a) ANONYMOUS REPORTING OF WASTE, FRAUD, OR ABUSE.—Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Office of Inspector General a mechanism by which individuals can anonymously report cases of waste, fraud, or abuse with respect to the Department of Veterans Affairs.

(b) LINK TO OFFICE OF INSPECTOR GENERAL FROM HOMEPAGE OF DEPARTMENT OF VETERANS AFFAIRS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish and maintain on the homepage of the Internet website of the Department of Veterans Affairs a direct link to the Internet website of the Office of Inspector General of the Department of Veterans Affairs.

SEC. 228. (a) AUTHORITY FOR TRANSFER OF FUNDS TO SECRETARY OF HEALTH AND HUMAN SERVICES TO TRAIN PSYCHOLOGISTS.—Upon a determination by the Secretary of Veterans Affairs that such action is in the national interest, the Secretary of Veterans Affairs may transfer not more than $5,000,000 to the Secretary of Health and Human Services for the Graduate Psychology Education Program to support increased training of psychologists skilled in the treatment of post-traumatic stress disorder, traumatic brain injury, and related disorders.

(b) LIMITATION ON USE OF TRANSFERRED FUNDS.—The Secretary of Health and Human Services may only use funds transferred under this section for the purposes described in subsection (a).

(c) NOTIFICATION.—The Secretary of Veterans Affairs shall notify Congress of any such transfer of funds under this section.

SEC. 229. (a) REPORTS ON RECONSTRUCTION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS, LOUISIANA.—(1) Not later than October 1 and April 1 each year, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations a report on the current status of the reconstruction of the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. Each report shall include the following:

(A) The current status of the reconstruction of the Medical Center, including the status of any ongoing environmental assessments, the status of any current construction, and an assessment of the adequacy of funding necessary to complete the reconstruction.

(B) If reconstruction of the Medical Center is subject to any major delay—

(i) a description of each such delay;

(ii) an explanation for each such delay; and

(iii) a description of the action being taken or planned to address the delay.

(C) A description of current and anticipated funding for the reconstruction of the Medical Center, including an estimate of any additional funding required for the reconstruction.

(2) The requirement in paragraph (1) shall cease on the day that the reconstruction of the Medical Center referred to in that paragraph is completed.

(b) REPORT ON DESIGNATION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS AS POLYTRAUMA REHABILITATION CENTER OR POLYTRAUMA NETWORK SITE.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Appropriations a report setting forth the recommendation of the Secretary as to whether or not the Department of Veterans Affairs Medical Center being reconstructed in new Orleans, Louisiana, should be designated as a tier I polytrauma rehabilitation center or a polytrauma network site.

SEC. 230. (a) ADDITIONAL AMOUNT FOR MEDICAL SERVICES.—The amount appropriated or otherwise made available by this title under the heading ''MEDICAL SERVICES'' is hereby increased by $125,000,000.

(b) AVAILABILITY.—Of the amount appropriated or otherwise made available by this title under the heading ''MEDICAL SERVICES'', as increased by subsection (a), $125,000,000 shall be available for the Veterans Beneficiary Travel Program. The amount available for the Veterans Beneficiary Travel Program under this subsection is in addition to any other amounts available for that program under this title.

(c) OFFSET.—The amount appropriated or otherwise made available by this title for the Veterans Health Administration under the heading ''MEDICAL ADMINISTRATION'' is hereby decreased by $125,000,000.

SEC. 231. (a) REPORT ON ACCESS TO MEDICAL SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS TO VETERANS IN REMOTE RURAL AREAS.—Not later than six months after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

(1) A description of the following:

(A) The unique challenges and costs faced by veterans in remote rural areas of contiguous and non-contiguous States when obtaining medical services from the Department of Veterans Affairs.

(B) The need to improve access to locally-administered care for veterans who reside in remote rural areas.

(C) The need to fund alternative sources of medical services—

(i) in areas where facilities of the Department of Veterans Affairs are not accessible to veterans without leaving such areas; and

(ii) in cases in which receipt of medical services by a veteran in a facility of the Department requires transportation of such veteran by air due to geographic and infrastructural constraints.

(2) An assessment of the potential for increasing local access to medical services for veterans in remote rural areas of contiguous and non-contiguous States through strategic partnerships with other government and local private health care providers.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Veterans' Affairs of the Senate and the House of Representatives; and

(2) the Subcommittees referred to in section 407.

SEC. 232. None of the funds appropriated or otherwise made available by this Act may be used during fiscal year 2008 to round down dollar amounts to the next lower whole dollar for payments of the following:

(1) Disability compensation under section 1114 of 38, United States Code.

(2) Additional compensation for dependents under section 1115(1) of such title.

(3) Clothing allowance under section 1162 of such title.

(4) Dependency and indemnity compensation to surviving spouse under subsections (a) through (d) of section 1311 of such title.

(5) Dependency and indemnity compensation to children under sections 1313(a) and 1314 of such title.

SEC. 233. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 234. LIEUTENANT COLONEL CLEMENT C. VAN WAGONER DEPARTMENT OF VETERANS AFFAIRS CLINIC. (a) DESIGNATION.—The Department of Veterans Affairs clinic located in Alpena, Michigan, shall be known and designated as the ''Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs clinic referred to in subsection (a) shall be deemed to be a reference to the ''Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic''.

SEC. 235. The Secretary of Veterans Affairs may carry out a major medical facility lease in fiscal year 2008 in an amount not to exceed $12,000,000 to implement the recommendations outlined in the August, 2007 Study of South Texas Veterans' Inpatient and Specialty Outpatient Health Care Needs.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $45,600,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, $11,000,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251–7298 of title 38, United States Code, $24,217,000: Provided, That $1,120,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $31,865,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally-owned watermain at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $55,724,000.

GENERAL FUND PAYMENT, ARMED FORCES RETIREMENT HOME

For payment to the ''Armed Forces Retirement Home'', $5,900,000, to remain available until expended.

ADMINISTRATIVE PROVISION

SEC. 301. None of the funds in this title under the heading ''American Battle Monuments Commission'' shall be available for the Capital Security Costs Sharing program.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 408. (a) ASSESSMENT OF MENTAL HEALTH CARE SERVICES FOR FEMALE SERVICEMEMBERS AND VETERANS.—The Comptroller General of the United States shall conduct an assessment of the adequacy of the mental health care services provided by the Department of Veterans Affairs and the Department of Defense to female members of the Armed Forces and female veterans to meet the mental health care needs of such members and veterans.

(b) REPORT.—Not later than September 1, 2008, the Comptroller General shall submit to the Subcommittees referred to in section 407 a report on the assessment required by subsection (a).

SEC. 409. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default or the assessment is the subject of a non-frivolous administrative or judicial appeal.

SEC. 410. (a) In this section:

(1) The term ''City'' means the City of Aurora, Colorado.

(2) The term ''deed'' means the quitclaim deed—

(A) conveyed by the Secretary to the City; and

(B) dated May 24, 1999.

(3) The term ''non-Federal land'' means—

(A) parcel I of the Fitzsimons Army Medical Center, Colorado; and

(B) the parcel of land described in the deed.

(4) The term ''Secretary'' means the Secretary of the Interior.

(b)(1) In accordance with paragraph (2), and subject to each term and condition required under paragraph (3), to allow the City to convey to the United States the non-Federal land to be used by the Secretary of Veterans Affairs for the construction of a veterans medical facility, the Secretary may execute such instruments as determined by the Secretary to be necessary to modify or release any condition under which the non-Federal land would revert to the United States.

(2) In carrying out paragraph (1), with respect to the non-Federal land, the Secretary shall alter—

(A) each provision of the deed relating to a reversionary interest of the United States; and

(B) any other reversionary interest of the United States.

To authorize the use of the property to include use as a veteran's facility in addition to use for recreational purposes.

(3) The Secretary shall carry out paragraph (1) subject to such terms and conditions as the Secretary determines to be necessary to protect the interests of the United States.

SEC. 411. For an additional amount $100,000,000, with $50,000,000 each to the Cities of Denver, Colorado, and St. Paul, Minnesota, shall be available to the Department of Homeland Security for State and local law enforcement entities for security and related costs, including overtime, associated with the Democratic National Convention and Republican National Convention in 2008. The Department of Homeland Security shall provide for an audit of all amounts made available under this section, including expenditures by State and local law enforcement entities. Amounts provided by this section are designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SEC. 412. None of the funds appropriated or otherwise made available by this Act may be used for any action that is related to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

This Act may be cited as the ''Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008''.

MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer the motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Motion offered by Mr. OBEY:

Mr. OBEY moves that the House concur in the Senate amendment with three House amendments.

The text of House amendment No. 1 to the Senate amendment is as follows:

Page 60 of the Senate engrossed amendment, strike lines 1 through 3 and insert the following:

TITLE IX—DEFENSE MATTERS

CHAPTER 1—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $11,807,655,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $866,753,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,820,571,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,286,153,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $304,200,000.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $72,800,000.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $16,720,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $5,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $1,369,747,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $4,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $16,343,512,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $2,952,864,000: *Provided*, That up to $112,607,000 shall be transferred to the Coast Guard ''Operating Expenses'' account.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $159,900,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $5,922,520,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $3,387,562,000, of which—

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

(2) not to exceed $800,000,000, to remain available until expended, may be used for payments to reimburse key cooperating nations, for logistical, military, and other support provided to United States military operations, notwithstanding any other provision of law: *Provided*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan: *Provided further*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary

of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph:

Provided further, That of the amount available under this heading for the Defense Contract Management Agency, $52,000,000 shall remain available until September 30, 2009.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $164,839,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $109,876,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $70,256,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $165,994,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $685,644,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $287,369,000.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Iraq Freedom Fund'', $50,000,000, to remain available for transfer until September 30, 2009, notwithstanding any other provision of law, only for the redevelopment of the Iraqi industrial sector by identifying, and providing assistance to, factories and other industrial facilities that are best situated to resume operations quickly and reemploy the Iraqi workforce: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

AFGHANISTAN SECURITY FORCES FUND

For an additional amount for ''Afghanistan Security Forces Fund'', $1,400,000,000, to remain available until September 30, 2009.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Iraq Security Forces Fund'', $1,500,000,000, to remain available until September 30, 2009: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That none of the assistance provided under this heading in the form of funds may be utilized for the provision of salaries, wages, or bonuses to personnel of the Iraqi Security Forces: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further*, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $954,111,000, to remain available for obligation until September 30, 2010.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $561,656,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $5,393,471,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $344,900,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $15,967,340,000, to remain available for obligation until September 30, 2010.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $3,411,254,000, to remain available for obligation until September 30, 2010.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $317,456,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $304,945,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $1,260,135,000, to remain available for obligation until September 30, 2010.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $2,153,390,000, to remain available for obligation until September 30, 2010.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $7,028,563,000, to remain available for obligation until September 30, 2010.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $66,943,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $205,455,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,903,167,000, to remain available for obligation until September 30, 2010.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $408,209,000, to remain available for obligation until September 30, 2010.

NATIONAL GUARD AND RESERVE EQUIPMENT

For an additional amount for ''National Guard and Reserve Equipment'', $750,000,000, to remain available for obligation until September 30, 2010: *Provided*, That the Chiefs of the National Guard and Reserve components shall, prior to the expenditure of funds, and not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees an equipment modernization priority assessment with a detailed plan for the expenditure of funds for their respective National Guard and Reserve components.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $162,958,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $366,110,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $278,427,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $816,598,000, to remain available until September 30, 2009.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,837,450,000, to remain available for obligation until expended.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for ''National Defense Sealift Fund'', $5,110,000, to remain available for obligation until expended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,363,864,000, of which

$907,064,000 shall be for operation and maintenance; of which $91,900,000 is for procurement to remain available until September 30, 2010; of which $364,900,000 shall be for research, development, test and evaluation, to remain available until September 30, 2009: *Provided,* That in addition to amounts otherwise contained in this paragraph, $75,000,000 is hereby appropriated to the ''Defense Health Program'' for operation and maintenance for psychological health and traumatic brain injury, to remain available until September 30, 2009.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $65,317,000, to remain available until September 30, 2009.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $6,394,000, of which $2,000,000 shall be for research, development, test and evaluation, to remain available until September 30, 2009.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 9101. Appropriations provided in this chapter are available for obligation until September 30, 2008, unless otherwise provided in this chapter.

SEC. 9102. Notwithstanding any other provision of law, funds made available in this chapter are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2008.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9103. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer between appropriations up to $2,500,000,000 of the funds made available to the Department of Defense in this chapter: *Provided,* That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further,* That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of Public Law 110–116, except for the fourth proviso.

SEC. 9104. (a) From funds made available for operation and maintenance in this chapter to the Department of Defense, not to exceed $1,026,841,000 may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq, Afghanistan, and the Philippines to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi, Afghan, and Filipino people.

(b) Not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

(INCLUDING TRANSFER OF FUNDS)

SEC. 9105. During fiscal year 2008, the Secretary of Defense may transfer not to exceed $6,500,000 of the amounts in or credited to the Defense Cooperation Account, pursuant to 10 U.S.C. 2608, to such appropriations or funds of the Department of Defense as the Secretary shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided,* That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further,* That the Secretary shall report to the Congress all transfers made pursuant to this authority.

SEC. 9106. Of the amount appropriated by this chapter under the heading ''Drug Interdiction and Counter-Drug Activities, Defense,'' not to exceed $20,000,000 may be used for the provision of support for counter-drug activities of the Governments of Afghanistan, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, and Turkmenistan, as specified in section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Laws 106–398, 108–136, 109–364, and 110–181): *Provided,* That such support shall be in addition to support provided under any other provision of the law.

SEC. 9107. Amounts provided in this chapter for operations in Iraq and Afghanistan may be used by the Department of Defense for the purchase of up to 20 heavy and light armored vehicles for force protection purposes, notwithstanding price or other limitations specified elsewhere in the Department of Defense Appropriations Act, 2008 (Public Law 110–116), or any other provision of law: *Provided,* That notwithstanding any other provision of law, funds provided in Public Law 110–116 and Public Law 110–161 under the heading ''Other Procurement, Navy'' may be used for the purchase of 21 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle: *Provided further,* That the Secretary of Defense shall submit a report in writing no later than 30 days after the end of each fiscal quarter notifying the congressional defense committees of any purchase described in this section, including cost, purposes, and quantities of vehicles purchased.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9108. Section 8122(c) of Public Law 110–116 is amended by adding at the end the following:

''(4) Upon a determination that all or part of the funds transferred under paragraph (1) are not necessary to accomplish the purposes specified in subsection (b), such amounts may be transferred back to the 'Mine Resistant Ambush Protected Vehicle Fund'.''.

SEC. 9109. Notwithstanding any other provision of law, not to exceed $150,000,000 of funds made available in this chapter may be obligated to conduct or support a program to build the capacity of a foreign country's national military forces in order for that country to conduct counterterrorist operations or participate in or support military and stability operations in which the U.S. Armed Forces are a participant: *Provided,* That funds available pursuant to the authority in this section shall be subject to the same restrictions, limitations, and reporting requirements as funds available pursuant to section 1206 of Public Law 109–163 as amended.

CHAPTER 2—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $839,000,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $75,000,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $55,000,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $75,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $150,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $37,300,000,000.

OPERATION AND MAINTENANCE NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $3,500,000,000: *Provided,* That up to $112,000,000 shall be transferred to the Coast Guard ''Operating Expenses'' account.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $2,900,000,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $5,000,000,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $2,648,569,000, of which not to exceed $200,000,000, to remain available until expended, may be used for payments to reimburse key cooperating nations, for logistical, military, and other support provided to United States military operations, notwithstanding any other provision of law: *Provided,* That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a nonreimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan: *Provided further,* That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further,* That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $79,291,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $42,490,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $47,076,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $12,376,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $333,540,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $52,667,000.

AFGHANISTAN SECURITY FORCES FUND

For an additional amount for ''Afghanistan Security Forces Fund'', $2,000,000,000, to remain available until September 30, 2009.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For ''Iraq Security Forces Fund'', $1,000,000,000, to remain available until September 30, 2009: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command-Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further,* That none of the assistance provided under this heading in the form of funds may be utilized for the provision of salaries, wages, or bonuses to personnel of the Iraqi Security Forces: *Provided further,* That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further,* That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $84,000,000 to remain available for obligation until September 30, 2011.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $822,674,000, to remain available for obligation until September 30, 2011.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $46,500,000, to remain available for obligation until September 30, 2011.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $1,009,050,000, to remain available for obligation until September 30, 2011.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $27,948,000, to remain available for obligation until September 30, 2011.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $565,425,000, to remain available for obligation until September 30, 2011.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $201,842,000, to remain available for obligation until September 30, 2011.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,500,644,000, to remain available for obligation until September 30, 2011.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $177,237,000, to remain available for obligation until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $113,228,000, to remain available until September 30, 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $72,041,000, to remain available until September 30, 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $202,559,000, to remain available until September 30, 2010.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,100,000,000 for operation and maintenance.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $188,000,000.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Joint Improvised Explosive Device Defeat Fund'', $2,000,000,000 to remain available until September 30, 2011: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further,* That within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: *Provided further,* That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of the Fund: *Provided further,* That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 9201. Appropriations provided in this chapter are not available for obligation until October 1, 2008.

SEC. 9202. Appropriations provided in this chapter are available for obligation until September 30, 2009, unless otherwise provided in this chapter.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9203. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer between appropriations up to $4,000,000,000 of the funds made available to the Department of Defense in this chapter: *Provided,* That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further,* That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of Public Law 110–116, except for the fourth proviso.

SEC. 9204. (a) Not later than December 5, 2008 and every 90 days thereafter through the end of fiscal year 2009, the Secretary of Defense, in consultation with the Secretary of State, shall set forth in a report to Congress a comprehensive set of performance indicators and measures for progress toward military and political stability in Iraq.

(b) The report shall include performance standards and goals for security, economic, and security force training objectives in Iraq together with a notional timetable for achieving these goals.

(c) In specific, the report requires, at a minimum, the following:

(1) With respect to stability and security in Iraq, the following:

(A) Key measures of political stability, including the important political milestones that must be achieved over the next several years.

(B) The primary indicators of a stable security environment in Iraq, such as number of engagements per day, numbers of trained Iraqi forces, trends relating to numbers and types of ethnic and religious-based hostile encounters, and progress made in the transition of responsibility for the security of Iraqi provinces to the Iraqi Security Forces under the Provincial Iraqi Control (PIC) process.

(C) An assessment of the estimated strength of the insurgency in Iraq and the extent to which it is composed of non-Iraqi fighters.

(D) A description of all militias operating in Iraq, including the number, size, equipment strength, military effectiveness, sources of support, legal status, and efforts to disarm or reintegrate each militia.

(E) Key indicators of economic activity that should be considered the most important for determining the prospects of stability in Iraq, including—

(i) unemployment levels;

(ii) electricity, water, and oil production rates; and

(iii) hunger and poverty levels.

(F) The most recent annual budget for the Government of Iraq, including a description of amounts budgeted for support of Iraqi security and police forces and an assessment of how planned funding will impact the training, equipping and overall readiness of those forces.

(G) The criteria the Administration will use to determine when it is safe to begin withdrawing United States forces from Iraq.

(2) With respect to the training and performance of security forces in Iraq, the following:

(A) The training provided Iraqi military and other Ministry of Defense forces and the equipment used by such forces.

(B) Key criteria for assessing the capabilities and readiness of the Iraqi military and other Ministry of Defense forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping these forces), and the milestones and notional timetable for achieving these goals.

(C) The operational readiness status of the Iraqi military forces, including the type, number, size, and organizational structure of Iraqi battalions that are—

(i) capable of conducting counterinsurgency operations independently without any support from Coalition Forces;

(ii) capable of conducting counterinsurgency operations with the support of United States or coalition forces; or

(iii) not ready to conduct counterinsurgency operations.

(D) The amount and type of support provided by Coalition Forces to the Iraqi Security Forces at each level of operational readiness.

(E) The number of Iraqi battalions in the Iraqi Army currently conducting operations and the type of operations being conducted.

(F) The rates of absenteeism in the Iraqi military forces and the extent to which insurgents have infiltrated such forces.

(G) The training provided Iraqi police and other Ministry of Interior forces and the equipment used by such forces.

(H) The level and effectiveness of the Iraqi Security Forces under the Ministry of Defense in provinces where the United States has formally transferred responsibility for the security of the province to the Iraqi Security Forces under the Provincial Iraqi Control (PIC) process.

(I) Key criteria for assessing the capabilities and readiness of the Iraqi police and other Ministry of Interior forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping), and the milestones and notional timetable for achieving these goals, including—

(i) the number of police recruits that have received classroom training and the duration of such instruction;

(ii) the number of veteran police officers who have received classroom instruction and the duration of such instruction;

(iii) the number of police candidates screened by the Iraqi Police Screening Service, the number of candidates derived from other entry procedures, and the success rates of those groups of candidates;

(iv) the number of Iraqi police forces who have received field training by international police trainers and the duration of such instruction;

(v) attrition rates and measures of absenteeism and infiltration by insurgents; and

(vi) the level and effectiveness of the Iraqi Police and other Ministry of Interior Forces in provinces where the United States has formally transferred responsibility for the security of the province to the Iraqi Security Forces under the Provincial Iraqi Control (PIC) process.

(J) The estimated total number of Iraqi battalions needed for the Iraqi security forces to perform duties now being undertaken by coalition forces, including defending the borders of Iraq and providing adequate levels of law and order throughout Iraq.

(K) The effectiveness of the Iraqi military and police officer cadres and the chain of command.

(L) The number of United States and coalition advisors needed to support the Iraqi security forces and associated ministries.

(M) An assessment, in a classified annex if necessary, of United States military requirements, including planned force rotations, through the end of calendar year 2009.

SEC. 9205. (a) REPORT BY SECRETARY OF DEFENSE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains individual transition readiness assessments by unit of Iraq and Afghan security forces. The Secretary of Defense shall submit to the congressional defense committees updates of the report required by this subsection every 90 days after the date of the submission of the report until October 1, 2009. The report and updates of the report required by this subsection shall be submitted in classified form.

(b) REPORT BY OMB.—(1) The Director of the Office of Management and Budget, in consultation with the Secretary of Defense; the Commander, Multi-National Security Transition Command—Iraq; and the Commander, Combined Security Transition Command—Afghanistan, shall submit to the congressional defense committees not later than 120 days after the date of the enactment of this Act and every 90 days thereafter a report on the proposed use of all funds under each of the headings ''Iraq Security Forces Fund'' and ''Afghanistan Security Forces Fund'' on a project-by-project basis, for which the obligation of funds is anticipated during the three-month period from such date, including estimates by the commanders referred to in this paragraph of the costs required to complete each such project.

(2) The report required by this subsection shall include the following:

(A) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in paragraph (1) were obligated prior to the submission of the report, including estimates by the commanders referred to in paragraph (1) of the costs to complete each project.

(B) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in paragraph (1) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates by the commanders referred to in paragraph (1) of the costs to complete each project.

(C) An estimated total cost to train and equip the Iraq and Afghan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

(c) NOTIFICATION.—The Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfers of funds between sub-activity groups in excess of $15,000,000 using funds appropriated by this Act under the headings ''Iraq Security Forces Fund'' and ''Afghanistan Security Forces Fund''.

SEC. 9206. Funds available to the Department of Defense for operation and maintenance provided in this chapter may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9207. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, ''Afghanistan Security Forces Fund'' or ''Iraq Security Forces Fund'' provided in this chapter, and executed in direct support of the Global War on Terrorism only in Iraq and Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9208. (a) Notwithstanding any other provision of law, and in addition to amounts otherwise made available by this Act, there is appropriated $1,700,000,000 for the ''Mine Resistant Ambush Protected Vehicle Fund'', to remain available until September 30, 2009.

(b) The funds provided by subsection (a) shall be available to the Secretary of Defense to continue technological research and development and upgrades, to procure Mine Resistant Ambush Protected vehicles and associated support equipment, and to sustain, transport, and field Mine Resistant Ambush Protected vehicles.

(c)(1) The Secretary of Defense shall transfer funds provided by subsection (a) to appropriations for operation and maintenance; procurement; and research, development, test and evaluation to accomplish the purposes specified in subsection (b). Such transferred funds shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred.

(2) The transfer authority provided by this subsection shall be in addition to any other transfer authority available to the Department of Defense.

(3) The Secretary of Defense shall, not less than 15 days prior to making any transfer under this subsection, notify the congressional defense committees in writing of the details of the transfer.

SEC. 9209. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

CHAPTER 3—GENERAL PROVISIONS, THIS TITLE

SEC. 9301. Each amount in this title is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

SEC. 9302. Funds appropriated by this title, or made available by the transfer of funds in this title, for intelligence activities are

deemed to be specifically authorized by the Congress for purposes of section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 9303. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9304. (a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security, in coordination with the Chairman of the Joint Chiefs of Staff and the Director of National Intelligence, shall jointly submit to Congress a report setting forth the global strategy of the United States to combat and defeat al Qaeda and its affiliates.

(b) ELEMENTS OF STRATEGY.—The strategy set forth in the report required under subsection (a) shall include the following elements:

(1) An analysis of the global threat posed by al Qaeda and its affiliates, including an assessment of the relative threat posed in particular regions or countries.

(2) Recommendations regarding the distribution and deployment of United States military, intelligence, diplomatic, and other assets to meet the relative regional and country-specific threats described in paragraph (1).

(3) Recommendations to ensure that the global deployment of United States military personnel and equipment best meet the threat identified and described in paragraph (1) and:

(A) does not undermine the military readiness or homeland security of the United States;

(B) ensures adequate time between military deployments for rest and training; and

(C) does not require further extensions of military deployments to the extent practicable.

(c) CLASSIFIED ANNEX.—The report required by subsection (a) shall be submitted in unclassified form, but shall include a classified annex.

SEC. 9305. None of the funds provided in this title may be used to finance programs or activities denied by Congress in fiscal years 2007 or 2008 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 9306. Section 1002(c)(2) of the National Defense Authorization Act, Fiscal Year 2008 (Public Law 110–181) is amended by striking ''$362,159,000'' and inserting ''$435,259,000''.

SEC. 9307. None of the funds appropriated or otherwise made available by this title may be obligated or expended to provide award fees to any defense contractor contrary to the provisions of section 814 of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109–364).

(RESCISSIONS)

SEC. 9308. (a) Of the funds made available for ''Defense Health Program'' in Public Law 110–28, $75,000,000 is rescinded.

(b) Of the funds made available for ''Joint Improvised Explosive Device Defeat Fund'' in Division L of the Consolidated Appropriations Act, 2008 (Public Law 110–161), $71,531,000 is rescinded.

SEC. 9309. Of the funds appropriated in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) which remain available for obligation under the ''Iraq Freedom Fund'', $150,000,000 is only for the Joint Rapid Acquisition Cell, and $10,000,000 is only for the transportation of fallen service members.

SEC. 9310. Funds available in this title which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

The text of House amendment No. 2 to the Senate amendment is as follows:

Page 60 of the Senate engrossed amendment, after line 3, insert the following:

TITLE X—POLICY REGARDING OPERATIONS IN IRAQ

SENSE OF CONGRESS REGARDING UNITED STATES MILITARY PERSONNEL

SEC. 10001. It is the sense of the Congress that the performance of United States military personnel should be commended, their courage and sacrifice have been exceptional, and when they come home, their service should be recognized appropriately.

UNITS DEPLOYED FOR COMBAT TO BE FULLY MISSION CAPABLE

SEC. 10002. (a) The Congress finds that it is the policy of the Department of Defense that units should not be deployed for combat unless they are rated ''fully mission capable''.

(b) None of the funds made available in this or any other Act may be used to deploy any unit of the Armed Forces to Iraq unless the President has certified in writing to the Committees on Appropriations and the Committees on Armed Services of the House of Representatives and the Senate at least 15 days in advance of the deployment that the unit is fully mission capable in advance of entry into Iraq.

(c) For purposes of subsection (b), the term ''fully mission capable'' means capable of performing assigned mission essential tasks to the prescribed standards under the conditions expected in the theater of operation, consistent with the guidelines set forth in the DoD Directive 7730.65, Subject: Department of Defense Readiness Reporting System; the Interim Force Allocation Guidance to the Global Force Management Board, dated February 6, 2008; and Army Regulation 220–1, Subject: Unit Status Reporting, dated December 19, 2006.

(d) The President, by certifying in writing to the Committees on Appropriations and the Committees on Armed Services of the House of Representatives and the Senate that the deployment to Iraq of a unit that is not assessed mission capable is required for reasons of national security and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's deployment is necessary despite the unit commander's assessment that the unit is not mission capable, may waive the limitations prescribed in subsection (b) on a unit-by-unit basis.

TIME LIMIT ON COMBAT DEPLOYMENTS

SEC. 10003. (a) The Congress finds that it is the policy of the Department of Defense that Army, Army Reserve, and National Guard units should not be deployed for combat beyond 365 days and that Marine Corps and Marine Corps Reserve units should not be deployed for combat beyond 210 days.

(b) None of the funds made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of extending the deployment for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve, or Army National Guard beyond 365 days; or

(2) any unit of the Marine Corps or Marine Corps Reserve beyond 210 days.

(c) The limitation prescribed in subsection (b) shall not be construed to require force levels in Iraq to be decreased below the total United States force levels in Iraq as of January 9, 2007.

(d) The President may waive the limitations prescribed in subsection (b) on a unit-by-unit basis if the President certifies in writing to the Committees on Appropriations and the Committees on Armed Services of the House of Representatives and the Senate that the extension of a unit's deployment in Iraq beyond the period applicable to the unit under such subsection is required for reasons of national security. The certification shall include a report, in classified and unclassified form, detailing the particular reason or reasons why the unit's extended deployment is necessary.

DWELL TIME BETWEEN COMBAT DEPLOYMENTS

SEC. 10004. (a) The Congress finds that it is the policy of the Department of Defense that an Army, Army Reserve, or National Guard unit should not be redeployed for combat if the unit has been deployed within the previous 365 consecutive days and that a Marine Corps or Marine Corps Reserve unit should not be redeployed for combat if the unit has been deployed within the previous 210 days.

(b) None of the funds made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of deploying for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve, or Army National Guard if such unit has been deployed within the previous 365 consecutive days; or

(2) any unit of the Marine Corps or Marine Corps Reserve if such unit has been deployed within the previous 210 consecutive days.

(c) The limitation prescribed in subsection (b) shall not be construed to require force levels in Iraq to be decreased below the total United States force levels in Iraq as of January 9, 2007.

(d) The President may waive the limitations prescribed in subsection (b) on a unit-by-unit basis if the President certifies in writing to the Committees on Appropriations and the Committees on Armed Services of the House of Representatives and the Senate that the redeployment of a unit to Iraq in advance of the expiration of the period applicable to the unit under such subsection is required for reasons of national security. The certification shall include a report, in classified and unclassified form, detailing the particular reason or reasons why the unit's early redeployment is necessary.

LIMITATION ON INTERROGATION TECHNIQUES

SEC. 10005. (a) No individual in the custody or under the effective control of an element of the intelligence community or instrumentality thereof, regardless of nationality or

physical location, shall be subject to any treatment or technique of interrogation not authorized by the United States Army Field Manual on Human Intelligence Collector Operations.

(b) In this section, the term ''instrumentality'', with respect to an element of the intelligence community, means a contractor or subcontractor at any tier of the element of the intelligence community.

REGISTRATION WITH THE INTERNATIONAL COMMITTEE OF THE RED CROSS

SEC. 10006. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to detain any individual who is in the custody or under the effective control of an element of the intelligence community or an instrumentality thereof unless the International Committee of the Red Cross is provided notification of the detention of and access to such person in a timely manner and consistent with the practices of the Armed Forces of the United States.

(b) For purposes of this section, the term ''instrumentality'', with respect to an element of the intelligence community, means a contractor or subcontractor at any tier of the element of the intelligence community.

(c) Nothing in this section shall be construed to create or otherwise imply the authority to detain, or to limit or otherwise affect any other rights or obligations which may arise under the Geneva Conventions or other laws, or to state all of the situations under which notification to and access for the International Committee of the Red Cross is required or allowed.

PROHIBITION OF PERMANENT BASES IN IRAQ

SEC. 10007. None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

LIMITATION ON DEFENSE AGREEMENTS WITH THE GOVERNMENT OF IRAQ

SEC. 10008. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to negotiate, enter into, or implement any agreement with the Government of Iraq that includes security assurances for mutual defense, unless the agreement—

(1) is in the form of a treaty requiring the advice and consent of the Senate (or is intended to take that form in the case of an agreement under negotiation); or

(2) is specifically authorized by a law enacted after the date of enactment of this Act.

(b) For purposes of this section, an agreement shall be considered to include security assurances for mutual defense if it includes provisions addressing any of the following:

(1) A binding commitment to deploy United States Armed Forces in defense of Iraq, or of any government or faction in Iraq, against any foreign or domestic threat.

(2) The number of United States Armed Forces personnel to be deployed to, or stationed in, Iraq.

(3) The mission of United States Armed Forces deployed to Iraq.

(4) The duration of the presence of United States Armed Forces in Iraq.

PROHIBITION ON AGREEMENTS SUBJECTING ARMED FORCES TO IRAQI CRIMINAL JURISDICTION

SEC. 10009. None of the funds appropriated or otherwise made available in this or any other Act may be used to negotiate, enter into, or implement an agreement with the Government of Iraq that would subject members of the Armed Forces of the United States to the jurisdiction of Iraq criminal courts or punishment under Iraq law.

REQUIREMENT FOR MATCHING FUNDS FROM GOVERNMENT OF IRAQ

SEC. 10010. (a) Notwithstanding any other provision of law, funds appropriated or otherwise made available in this or any other Act for assistance for Iraq, including training, capacity building, and construction and repair of infrastructure, shall be available only to the extent that the Government of Iraq matches such assistance on a dollar-for-dollar basis.

(b) subsection (a) shall not apply to—

(1) grants and cooperative agreements for programs to promote democracy and human rights;

(2) the Community Action Program and other direct assistance to non-governmental organizations;

(3) humanitarian demining;

(4) assistance for refugees, internally displaced persons, and civilian victims of military operations;

(5) intelligence or intelligence-related activities; or

(6) projects with an estimated cost of less than $750,000 undertaken through the Commander's Emergency Response Program.

(c) The Secretary of State and the Secretary of Defense shall certify to the Committees on Appropriations of the House of Representatives and Senate, prior to the initial obligation by their respective Departments of funds covered by the limitation in subsection (a), that the Government of Iraq has committed to obligate matching funds on a dollar-for-dollar basis. The Secretary of State shall submit a report to the Committees on Appropriations not later than September 30, 2009 detailing the amounts of funds obligated and expended by the Government of Iraq to meet the requirements of this section.

(d) Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amounts provided by the Government of Iraq since June 30, 2004, to assist Iraqi refugees in Syria, Jordan, and elsewhere, and the amount of such assistance the Government of Iraq plans to provide in fiscal year 2008. The Secretary shall work expeditiously with the Government of Iraq to establish an account within its annual budget sufficient to, at a minimum, match United States contributions on a dollar-for-dollar basis to organizations and programs for the purpose of assisting Iraqi refugees.

(e) As part of the report required by section 609 of division L of the Consolidated Appropriations Act, 2008 (Public Law 110–161), the Secretary of Defense shall submit to Congress a report on the most recent annual budget for the Government of Iraq, including—

(1) a description of amounts budgeted for support of Iraqi security and police forces and an assessment of how planned funding will impact the training, equipping and overall readiness of those forces;

(2) an assessment of the capacity of the Government of Iraq to implement the budget as planned, including reports on year-to-year spend rates, if available; and

(3) a description of any budget surplus or deficit, if applicable.

PARTIAL REIMBURSEMENT FROM IRAQ FOR FUEL COSTS

SEC. 10011. (a) None of the funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' for the Office of the Secretary of Defense or Washington Headquarters Services may be obligated or expended until the agreement described in subsection (b)(1) is complete and the report required by subsection (b)(2) has been transmitted to Congress, except that the limitation in this subsection may be waived if the President determines and certifies to the Committees on Appropriations of the House of Representatives and Senate that such waiver is in the national security interests of the United States.

(b) Not later than 90 days after enactment of this Act, the President shall—

(1) complete an agreement with the Government of Iraq to subsidize fuel costs for United States Armed Forces operating in Iraq so the price of fuel per gallon to those forces is equal to the discounted price per gallon at which the Government of Iraq is providing fuel for domestic Iraqi consumption; and

(2) transmit a report to the Committees on Appropriations on the details and terms of that agreement.

(c) Amounts received from the Government of Iraq under an agreement described in subsection (b)(1) shall be credited to the appropriations or funds that incurred obligations for the fuel costs being subsidized, as determined by the Secretary of Defense.

TIMETABLE FOR REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ

SEC. 10012. (a) Notwithstanding any other provision of law, funds appropriated or otherwise made available in this Act may be used to plan and execute a safe and orderly redeployment of United States Armed Forces from Iraq.

(b) Within 30 days after enactment of this Act, the President shall commence an immediate and orderly redeployment of United States Armed Forces from Iraq, with a goal of completing such redeployment within 18 months. The President shall endeavor to begin such redeployment with units of the Armed Forces that have been deployed in excess of 365 days, except to the extent those units are needed to provide for the safe withdrawal of other units of the Armed Forces or to protect United States and Coalition personnel and infrastructure.

(c) After completion of the redeployment required by subsection (b), members of the United States Armed Forces may be deployed to, or maintained in, Iraq only to the extent necessary to carry out the following missions:

(1) Protecting the diplomatic facilities, Armed Forces, and citizens of the United States in Iraq.

(2) Conducting limited training of, equipping, and providing logistical and intelligence support to, Iraqi security forces.

(3) Engaging in targeted counterterrorism operations against al-Qaeda, groups affiliated with al-Qaeda, and other terrorist organizations in Iraq.

(d) Not later than July 1, 2008, and every 90 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) The current plan for and the status of the reduction of United States Armed Forces in Iraq and the transition of the Armed Forces in Iraq to a limited presence whose missions do not exceed the missions specified in subsection (c), including the associated force reductions and adjustments and expectations with respect to timelines and the force levels anticipated to perform those missions.

(2) A comprehensive current description of efforts to prepare for the reduction and transition of United States Armed Forces in Iraq in accordance with this section and to limit

any destabilizing consequences of such reduction and transition, including a description of efforts to work with the United Nations and countries in the region toward that objective.

(e) Not later than 45 days after enactment of this Act, the Secretary of State shall provide to the Committees on Appropriations of the House of Representatives and Senate a strategy for civilian-led post-conflict stabilization and reconstruction assistance for Iraq. The strategy (which may be provided in classified form if necessary) shall include—

(1) the plans and timetable for transfer of all responsibility for United States post-conflict stabilization and reconstruction assistance from the Department of Defense to the Department of State and the United States Agency for International Development; and

(2) the staff, security and resource requirements for United States diplomatic efforts and assistance programs in Iraq.

TITLE XI—REFORMS RELATED TO WAR PROFITEERING AND CONTRACTORS

CHAPTER 1—ADJUSTMENT OF WARTIME STATUTE OF LIMITATIONS

ADJUSTMENT OF WARTIME STATUTE OF LIMITATIONS

SEC. 11101. Section 3287 of title 18, United States Code, is amended—

(1) by inserting ''or Congress has enacted a specific authorization for the use of the Armed Forces, as described in section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)),'' after ''is at war'';

(2) by inserting ''or directly connected with or related to the authorized use of the Armed Forces'' after ''prosecution of the war'';

(3) by striking ''three years'' and inserting ''5 years'';

(4) by striking ''proclaimed by the President'' and inserting ''proclaimed by a Presidential proclamation, with notice to Congress,''; and

(5) by adding at the end the following: ''For purposes of applying such definitions in this section, the term 'war' includes a specific authorization for the use of the Armed Forces, as described in section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).''.

CHAPTER 2—WAR PROFITEERING AND FRAUD

WAR PROFITEERING AND FRAUD

SEC. 11201. (a) PROHIBITION ON WAR PROFITEERING.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1041. War profiteering and fraud

''(a) PROHIBITION.—Whoever, in any matter involving a contract with, or the provision of goods or services to, the United States or a provisional authority, in connection with a mission of the United States Government overseas, knowingly—

''(1)(A) executes or attempts to execute a scheme or artifice to defraud the United States or that authority; or

''(B) materially overvalues any good or service with the intent to defraud the United States or that authority;

shall be fined not more than $1,000,000 or imprisoned not more than 20 years, or both; or

''(2) in connection with the contract or the provision of those goods or services—

''(A) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

''(B) makes any materially false, fictitious, or fraudulent statements or representations; or

''(C) makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined not more than $1,000,000 or imprisoned not more than 10 years, or both.

''(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.

''(c) VENUE.—A prosecution for an offense under this section may be brought—

''(1) as authorized by chapter 211 of this title;

''(2) in any district where any act in furtherance of the offense took place; or

''(3) in any district where any party to the contract or provider of goods or services is located.''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of such title is amended by adding at the end the following:

''1041. War profiteering and fraud.''.

(b) CRIMINAL FORFEITURE.—Section 982(a)(2)(B) of title 18, United States Code, is amended by striking ''or 1030'' and inserting ''1030, or 1041''.

(c) MONEY LAUNDERING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 1041 (relating to war profiteering and fraud),'' after ''liquidating agent of financial institution),''.

(d) RICO.—Section 1961(1) of title 18, United States Code, is amended by inserting ''section 1041 (relating to war profiteering and fraud),'' after ''in connection with access devices),''.

CHAPTER 3—MILITARY EXTRATERRITORIAL JURISDICTION

SHORT TITLE

SEC. 11301. This chapter may be cited as the ''MEJA Expansion and Enforcement Act of 2008''.

LEGAL STATUS OF CONTRACT PERSONNEL

SEC. 11302. (a) CLARIFICATION OF MILITARY EXTRATERRITORIAL JURISDICTION ACT.—

(1) INCLUSION OF FEDERAL EMPLOYEES AND CONTRACTORS.—Section 3261(a) of title 18, United States Code, is amended—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the comma at the end and inserting a semicolon; and

(C) by inserting after paragraph (2) the following new paragraphs:

''(3) while employed by any Department or agency of the United States other than the Armed Forces in a foreign country in which the Armed Forces are conducting a qualifying military operation; or

''(4) while employed as a security officer or security contractor by any Department or agency of the United States other than the Armed Forces,''.

(2) DEFINITIONS.—Section 3267 of title 18, United States Code, is amended—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following new subparagraph:

''(A) employed by or performing services under a contract with or grant from the Department of Defense (including a nonappropriated fund instrumentality of the Department) as—

''(i) a civilian employee (including an employee from any other Executive agency on temporary assignment to the Department of Defense);

''(ii) a contractor (including a subcontractor at any tier); or

''(iii) an employee of a contractor (including a subcontractor at any tier);''; and

(B) by adding at the end the following new paragraphs:

''(5) The term 'employed by any Department or agency of the United States other than the Armed Forces' means—

''(A) employed by or performing services under a contract with or grant from any Department or agency of the United States, or any provisional authority funded in whole or substantial part or created by the United States Government, other than the Department of Defense as—

''(i) a civilian employee;

''(ii) a contractor (including a subcontractor at any tier); or

''(iii) an employee of a contractor (including a subcontractor at any tier);

''(B) present or residing outside the United States in connection with such employment; and

''(C) not a national of or ordinarily a resident in the host nation.

''(6) The term 'employed as a security officer or security contractor by any Department or agency of the United States other than the Armed Forces' means—

''(A) employed by or performing services under a contract with or grant from any Department or agency of the United States, or any provisional authority funded in whole or substantial part or created by the United States Government, other than the Department of Defense as—

''(i) a civilian employee;

''(ii) a contractor (including a subcontractor at any tier); or

''(iii) an employee of a contractor (including a subcontractor at any tier);

''(B) authorized in the course of such employment—

''(i) to provide physical protection to or security for persons, places, buildings, facilities, supplies, or means of transportation;

''(ii) to carry or possess a firearm or dangerous weapon, as defined by section 930(g)(2) of this chapter;

''(iii) to use force against another; or

''(iv) to supervise individuals performing the activities described in clause (i), (ii) or (iii);

''(C) present or residing outside the United States in connection with such employment; and

''(D) not a national of or ordinarily resident in the host nation.

''(7) The term 'qualifying military operation' means—

''(A) a military operation covered by a declaration of war or an authorization of the use of military force by Congress;

''(B) a contingency operation (as defined in section 101 of title 10); or

''(C) any other military operation outside of the United States, including a humanitarian assistance or peace keeping operation, provided such operation is conducted pursuant to an order from or approved by the Secretary of Defense.''.

(b) DEPARTMENT OF JUSTICE INSPECTOR GENERAL REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Justice, in consultation with the Inspectors General of the Department of Defense, the Department of State, the United States Agency for International Development, the Department of Agriculture, the Department of Energy, and other appropriate Federal departments and agencies, shall submit to Congress a report in accordance with this subsection.

(2) CONTENT OF REPORT.—The report under paragraph (1) shall include, for the period beginning on October 1, 2001, and ending on the date of the report—

(A) unless the description pertains to nonpublic information that relates to an ongoing investigation or criminal or civil proceeding under seal, a description of any alleged violations of section 3261 of title 18, United States Code, reported to the Inspector Generals identified in paragraph (1) or the Department of Justice, including—

(i) the date of the complaint and the type of offense alleged;

(ii) whether any investigation was opened or declined based on the complaint;

(iii) whether the investigation was closed, and if so, when it was closed;

(iv) whether a criminal or civil case was filed as a result of the investigation, and if so, when it was filed; and

(v) any charges or complaints filed in those cases; and

(B) unless the description pertains to nonpublic information that relates to an ongoing investigation or criminal or civil proceeding under seal, and with appropriate safeguards for the protection of national security information, a description of any shooting or escalation of force incidents in Iraq or Afghanistan involving alleged misconduct by persons employed as a security officer or security contractor by any Department or agency of the United States, and any official action taken against such persons.

(3) FORM OF REPORT.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex as appropriate.

INVESTIGATIVE UNITS FOR CONTRACTOR OVERSIGHT

SEC. 11303. (a) ESTABLISHMENT OF INVESTIGATIVE UNITS FOR CONTRACTOR OVERSIGHT.—

(1) IN GENERAL.—The Attorney General, in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, and the heads of any other Federal departments or agencies responsible for employing private security contractors or contractors (or subcontractors at any tier) in a foreign country where the Armed Forces are conducting a qualifying military operation—

(A) shall assign adequate personnel and resources through the creation of Investigative Units for Contractor Oversight to investigate allegations of criminal violations under paragraphs (3) and (4) of section 3261(a) of title 18, United States Code (as amended by section 11302(a) of this chapter); and

(B) may authorize the overseas deployment of law enforcement agents and other Department of Justice personnel for that purpose.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall limit any existing authority of the Attorney General or any Federal law enforcement agency to investigate violations of Federal law or deploy personnel overseas.

(b) REFERRAL FOR PROSECUTION.—Upon conclusion of an investigation of an alleged violation of sections 3261(a)(3) and 3261(a)(4) of title 18, United States Code, an Investigative Unit for Contractor Oversight may refer the matter to the Attorney General for further action, as appropriate in the discretion of the Attorney General.

(c) RESPONSIBILITIES OF THE ATTORNEY GENERAL.—

(1) INVESTIGATION.—The Attorney General shall have the principal authority for the enforcement of sections 3261(a)(3) and 3261(a)(4) of title 18, United States Code, and shall have the authority to initiate, conduct, and supervise investigations of any alleged violations of such sections 3261(a)(3) and 3261(a)(4).

(2) ASSISTANCE ON REQUEST OF THE ATTORNEY GENERAL.—Notwithstanding any statute, rule, or regulation to the contrary, the Attorney General may request assistance from the Secretary of Defense, the Secretary of State, or the head of any other Executive agency to enforce this chapter. This requested assistance may include the assignment of additional personnel and resources to an Investigative Unit for Contractor Oversight established by the Attorney General under subsection (a).

(3) ANNUAL REPORT.—Not later than one year after the date of enactment of this Act, and annually thereafter, the Attorney General, in consultation with the Secretary of Defense and the Secretary of State, shall submit to Congress a report containing—

(A) the number of violations of sections 3261(a)(3) and 3261(a)(4) of title 18, United States Code, received, investigated, and referred for prosecution by Federal law enforcement authorities during the previous year;

(B) the number and location of Investigative Units for Contractor Oversight deployed to investigate violations of such sections 3261(a)(3) and 3261(a)(4) during the previous year; and

(C) any recommended changes to Federal law that the Attorney General considers necessary to enforce this chapter and the amendments made by this chapter and chapter 212 of title 18, United States Code.

REMOVAL PROCEDURES FOR NON-DEPARTMENT OF DEFENSE EMPLOYEES AND CONTRACTORS

SEC. 11304. (a) ATTORNEY GENERAL REGULATIONS.—Section 3266 of title 18, United States Code, is amended by adding at the end the following:

''(d) The Attorney General, after consultation with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence, may prescribe regulations governing the investigation, apprehension, detention, delivery, and removal of persons described in sections 3261(a)(3) and 3261(a)(4) and describing the notice due, if any, foreign nationals potentially subject to the criminal jurisdiction of the United States under those sections.''.

(b) CLARIFYING AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Chapter 212 of title 18, United States Code, is amended—

(A) in section 3261(a)—

(i) by inserting ''against the United States'' after ''offense'' the first time it appears; and

(ii) by inserting ''within the United States or'' after ''had been engaged in'';

(B) in section 3262—

(i) in subsection (a), by striking ''section 3261(a)'' the first place it appears and inserting ''section 3261(a)(1) or 3261(a)(2)'';

(ii) by redesignating subsection (b) as subsection (c); and

(iii) by inserting after subsection (a) the following new subsection (b):

''(b) The Attorney General may designate and authorize any person serving in a law enforcement position in the Department of Justice, the Department of Defense, the Department State, or any other Executive agency to arrest, in accordance with applicable international agreements, outside the United States any person described in section 3261(a) if there is probable cause to believe that such person violated section 3261(a).'';

(C) in section 3263(a), by striking ''section 3261(a)'' the first place it appears and inserting ''section 3261(a)(1) or 3261(a)(2)'';

(D) in section 3264(a), by inserting ''described in section 3261(a)(1) or 3261(a)(2)'' before ''arrested'';

(E) section 3265(a)(1) by inserting ''described in section 3261(a)(1) or 3261(a)(2)'' before ''arrested''; and

(F) in section 3266(a), by striking ''under this chapter'' and inserting ''described in section 3261(a)(1) or 3261(a)(2)''.

(2) ADDITIONAL AMENDMENT.—Section 7(9) of title 18, United States Code, is amended by striking ''section 3261(a)'' and inserting ''section 3261(a)(1) or 3261(a)(2)''.

RULES OF CONSTRUCTION

SEC. 11305. (a) IN GENERAL.—Nothing in this chapter or the amendments made by this chapter shall apply to authorized and otherwise lawful intelligence activities carried out by or at the direction of the United States.

(b) DEFENSES.—Nothing in this section shall be construed to limit or extinguish any defense or protection otherwise available to any person or entity from suit, civil or criminal liability, or damages, or to provide immunity from prosecution for any criminal offense by the proper authorities.

(c) EXISTING EXTRATERRITORIAL JURISDICTION.—Nothing in this chapter or the amendments made by this chapter shall be construed to limit or affect the extraterritorial jurisdiction related to any Federal statute not amended by this chapter.

DEFINITION

SEC. 11306. For purposes of this chapter and the amendments made by this chapter, the term ''Executive agency'' has the meaning given in section 105 of title 5, United States Code.

EFFECTIVE DATE

SEC. 11307. (a) IMMEDIATE EFFECTIVENESS.—The provisions of this chapter shall enter into effect immediately upon the enactment of this Act.

(b) IMPLEMENTATION.—The Attorney General and the head of any other Federal department or agency to which this chapter applies shall have 90 days after the date of the enactment of this Act to ensure compliance with the provisions of this chapter.

The text of House amendment No. 3 to the Senate amendment is as follows:

Page 1 of the Senate engrossed amendment, strike line 1 and all that follows through the end of line 21 on page 59, and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I—MILITARY CONSTRUCTION, VETERANS AFFAIRS, INTERNATIONAL AFFAIRS, AND OTHER SECURITY-RELATED MATTERS

CHAPTER 1—AGRICULTURE

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for ''Public Law 480 Title II Grants'', $850,000,000, to remain available until expended.

For an additional amount for ''Public Law 480 Title II Grants'', $395,000,000, to become available on October 1, 2008, and to remain available until expended.

CHAPTER 2—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF JUSTICE

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $4,000,000, to remain available until September 30, 2009.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses, General Legal Activities'', $1,648,000, to remain available until September 30, 2009.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses, United States Attorneys'', $5,000,000, to remain available until September 30, 2009.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $18,621,000, to remain available until September 30, 2009.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $92,169,000, to remain available until September 30, 2009.

For an additional amount for ''Salaries and Expenses'', $82,600,000, to become available on October 1, 2008, and to remain available until September 30, 2009.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $12,166,000, to remain available until September 30, 2009.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $4,000,000, to remain available until September 30, 2009.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $9,100,000, to remain available until September 30, 2009.

CHAPTER 3—MILITARY CONSTRUCTION AND VETERANS AFFAIRS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $1,432,700,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $73,400,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds made available under this heading, $72,000,000 shall not be obligated or expended until after that date on which the Secretary of Defense submits a detailed spending plan, including a 1391 form for each facilities replacement project, to the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That of the funds provided under this heading, $533,700,000 shall not be obligated or expended until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for the permanent basing of United States military personnel in Iraq.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $423,357,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $15,843,000 shall be available for study, planning, design, and architect and engineer services.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $409,627,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $36,427,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds provided under this heading, $58,300,000 shall not be obligated or expended until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for the permanent basing of United States military personnel in Iraq.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for ''Military Construction, Defense-Wide'', $1,009,600,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided, $982,000,000 shall be for medical treatment facilities construction (including planning and design) and shall remain available until September 30, 2012.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Family Housing Construction, Navy and Marine Corps,'' $11,766,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $1,354,634,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For an additional amount for ''General Operating Expenses'', $100,000,000, to remain available until September 30, 2009.

INFORMATION TECHNOLOGY SYSTEMS

For an additional amount for ''Information Technology Systems'', $20,000,000, to remain available until September 30, 2009.

GENERAL PROVISION, THIS CHAPTER

SEC. 1301. None of the funds appropriated in this or any other Act may be used to terminate, reorganize, or relocate the Armed Forces Institute of Pathology until the President has established, as required by section 722 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 199; 10 U.S.C. 176 note), a Joint Pathology Center.

CHAPTER 4—DEPARTMENT OF STATE AND FOREIGN OPERATIONS

SUBCHAPTER A—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $1,606,808,000, to remain available until September 30, 2009, of which $210,508,000 for worldwide security protection is available until expended: *Provided*, That not more than $1,295,000,000 of the funds appropriated under this heading shall be available for diplomatic operations in Iraq: *Provided further*, That of the funds appropriated under this heading, not more than $30,000,000 shall be available to establish and implement a coordinated civilian response capacity at the United States Department of State.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Office of Inspector General'', $7,500,000, to remain available until September 30, 2009: *Provided*, That $2,500,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance'', $76,700,000, to remain available until expended, for facilities in Afghanistan.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $53,000,000 to remain available until September 30, 2009.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $333,600,000, to remain available until September 30, 2009, for the United Nations–African Union Hybrid Mission in Darfur.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $200,000,000, to remain available until expended.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $142,000,000, to remain available until September 30, 2009: *Provided*, That of the funds appropriated under this heading, not more than $20,000,000 shall be available to establish and implement a coordinated civilian response capacity at the United States Agency for International Development.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', $4,000,000, to remain available until September 30, 2009.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund'', $1,747,000,000, to remain available until September 30, 2009, of which not more than $440,000,000 may be made available for assistance for Iraq, $150,000,000 shall be made available for assistance for Jordan to meet the needs of Iraqi refugees, and up to $53,000,000 may be available for energy-related assistance for North Korea, notwithstanding any other provision of law: *Provided*, That not more than $100,000,000 of the funds appropriated under this heading shall be made available for assistance for the West Bank and none of such funds shall be for cash transfer assistance: *Provided further*, That of the funds appropriated under this heading, $1,000,000 shall be made available for the Office of the United Nations High Commissioner for Human Rights in Mexico: *Provided further*, That the funds made available under this heading for energy-related assistance for

North Korea may be made available to support the goals of the Six Party Talks Agreements after the Secretary of State determines and reports to the Committees on Appropriations that North Korea is continuing to fulfill its commitments under such agreements.

DEPARTMENT OF STATE

DEMOCRACY FUND

For an additional amount for ''Democracy Fund'', $75,000,000, to remain available until September 30, 2009, for democracy programs in Iraq.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $419,300,000, to remain available until September 30, 2009: *Provided*, That not more than $25,000,000 of the funds appropriated by this subchapter shall be made available for security assistance for the West Bank.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $300,000,000, to remain available until expended.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for ''United States Emergency Refugee and Migration Assistance Fund'', $25,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $11,200,000, to remain available until September 30, 2009.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $72,500,000, to remain available until September 30, 2009, of which up to $66,500,000 shall be made available for assistance for Mexico.

SUBCHAPTER B—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $737,900,000, which shall become available on October 1, 2008 and remain available through September 30, 2009: *Provided*, That of the funds appropriated under this heading, $78,400,000 is for worldwide security protection and shall remain available until expended: *Provided further*, That not more than $581,500,000 of the funds appropriated under this heading shall be available for diplomatic operations in Iraq.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Office of Inspector General'', $57,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009: *Provided*, That $46,500,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight and up to $5,000,000 shall be transferred to the Special Inspector General for Afghanistan Reconstruction for reconstruction oversight.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance,'' $41,300,000, which shall become available on October 1, 2008 and remain available until expended, for facilities in Afghanistan.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $75,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $150,500,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'', $8,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH AND CHILD SURVIVAL

For an additional amount for ''Global Health and Child Survival'', $75,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009, for programs to combat avian influenza.

DEVELOPMENT ASSISTANCE

For an additional amount for ''Development Assistance'', $200,000,000, for assistance for developing countries to address the international food crisis notwithstanding any other provision of law, which shall become available on October 1, 2008 and remain available through September 30, 2010: *Provided*, That such assistance should be carried out consistent with the purposes of section 103(a)(1) of the Foreign Assistance Act of 1961: *Provided further*, That not more than $50,000,000 should be made available for local or regional purchase and distribution of food: *Provided further*, That the Secretary of State shall submit to the Committees on Appropriations not later than 45 days after enactment of this Act, and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of such funds to alleviate hunger and malnutrition, including a list of those countries facing significant food shortages.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $200,000,000, which shall become available on October 1, 2008 and remain available until expended.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $93,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', $1,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund,'' $1,147,300,000, which shall become available on October 1, 2008 and remain available through September 30, 2009, of which not more than $100,000,000 may be made available for assistance for Iraq, $100,000,000 shall be made available for assistance for Jordan, and $15,000,000 may be made available for energy-related assistance for North Korea, notwithstanding any other provision of law: *Provided*, That not more than $150,000,000 of the funds appropriated under this heading in this subchapter shall be made available for assistance for the West Bank.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $204,500,000, which shall become available on October 1, 2008 and remain available through September 30, 2009: *Provided*, That not more than $50,000,000 of the funds made available by this subchapter shall be made available for security assistance for the West Bank and up to $53,500,000 shall be made available for assistance for Mexico.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $350,000,000, which shall become available on October 1, 2008 and remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $4,500,000, for humanitarian demining assistance for Iraq, which shall become available on October 1, 2008 and remain available through September 30, 2009.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $170,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009, of which $100,000,000 shall be made available for assistance for Jordan and up to $50,000,000 shall be made available for assistance for Mexico: *Provided*, That section 3802(c) of title III, chapter 8 of Public Law 110–28 shall apply to funds made available under this heading for assistance for Lebanon.

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $85,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

SUBCHAPTER C—GENERAL PROVISIONS, THIS CHAPTER

EXTENSION OF AUTHORITIES

SEC. 1401. Funds appropriated by this chapter may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

AFGHANISTAN

SEC. 1402 (a) ASSISTANCE FOR WOMEN AND GIRLS.—Funds appropriated by this chapter under the heading ''Economic Support Fund'' that are available for assistance for Afghanistan shall be made available, to the maximum extent practicable, through local Afghan provincial and municipal governments and Afghan civil society organizations and in a manner that emphasizes the participation of Afghan women and directly improves the economic, social and political status of Afghan women and girls.

(b) HIGHER EDUCATION.—Of the funds appropriated by this chapter under the heading ''Economic Support Fund'' that are made available for education programs in Afghanistan, not less than 50 percent shall be made available to support higher education and vocational training programs in law, accounting, engineering, public administration, and other disciplines necessary to rebuild the country, in which the participation of women is emphasized.

(c) CIVILIAN ASSISTANCE.—Of the funds appropriated by this chapter under the heading ''Economic Support Fund'' that are available for assistance for Afghanistan, not less than $2,000,000 shall be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund.

(d) ANTICORRUPTION.—Not later than 90 days after enactment of this Act, the Secretary of State shall—

(1) submit a report to the Committees on Appropriations on actions being taken by the Government of Afghanistan to combat corruption within the national and provincial governments, including to remove and prosecute officials who have committed corrupt acts;

(2) submit a list to the Committees on Appropriations, in classified form if necessary, of senior Afghan officials who the Secretary has credible evidence to believe have committed corrupt acts; and

(3) certify and report to the Committees on Appropriations that effective mechanisms are in place to ensure that assistance to national government ministries and provincial governments will be properly accounted for.

WEST BANK

SEC. 1403. Not later than 90 days after the date of enactment of this Act, and 180 days thereafter, the Secretary of State shall submit to the Committees on Appropriations a report on assistance provided by the United States for the training of Palestinian security forces, including detailed descriptions of the training, curriculum, and equipment provided; an assessment of the training and the performance of forces after training has been completed; and a description of the assistance that has been pledged and provided to Palestinian security forces by other donors: *Provided*, That not later than 90 days after the date of enactment of this Act, the Secretary of State shall report to the Committees on Appropriations, in classified form if necessary, on the security strategy of the Palestinian Authority.

MEXICO

SEC. 1404. (a) ASSISTANCE FOR MEXICO.—Of the funds appropriated under the headings ''International Narcotics Control and Law Enforcement'', ''Foreign Military Financing Program'', and ''Economic Support Fund'' in this chapter, not more than $296,500,000 of the funds appropriated in subchapter A and $103,500,000 of the funds appropriated in subchapter B shall be made available for assistance for Mexico, only to combat drug trafficking and related violent crime, and for judicial reform, institution building, and rule of law activities, of which not less than $73,500,000 shall be used for judicial reform, institution building, and rule of law activities: *Provided*, That none of the funds made available under this section shall be made available for budget support or as cash payments: *Provided further*, That none of the funds made available under this section shall be available for obligation until the Secretary of State determines and reports to the Committees on Appropriations that vetting procedures are in place to ensure that relevant members and units of the Mexican armed forces and police forces that may receive assistance pursuant to this section have not been involved in human rights violations or corrupt acts.

(b) ALLOCATION OF FUNDS.—25 percent of the funds made available by this chapter for assistance for Mexico under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' shall be withheld from obligation until the Secretary of State reports to the Committees on Appropriations on the requirements described in subsection (c).

(c) REQUIREMENTS.—The requirements referred to in subsection (b) are the following:

(1) The Government of Mexico is—

(A) improving the transparency and accountability of Federal police forces and engaging with state and municipal authorities to improve the transparency and accountability of state and municipal police forces through mechanisms such as police complaints commissions;

(B) ensuring meaningful engagement with civil society to monitor efforts to combat drug trafficking and related violent crime, judicial reform, institution building, and rule of law activities to ensure due process and the protection of freedom of expression, association, and assembly in accordance with Mexican and international law; and

(C) ensuring that, in accordance with applicable Mexican law, the Mexican armed forces and the Federal police forces are cooperating with civilian prosecutors and judicial authorities in investigating and prosecuting in the civilian justice system those individuals, including military personnel, who have been credibly alleged under Mexican law to have committed violations of internationally recognized human rights, and, consistent with Mexican and international law, is vigorously enforcing the prohibition on the use of testimony obtained through torture or other ill-treatment.

(2) The Federal Public Security Secretary and the Minister of Defense, respectively, in accordance with applicable Mexican law, are suspending or placing on administrative duty, those members of the Federal police and armed forces who have been credibly alleged under Mexican law, to have committed violations of internationally recognized human rights or participated in corrupt acts and have established policies that reward respect for human rights, in particular regarding the use of force.

(3) The Attorney General and other relevant authorities of the Mexican Government are investigating and prosecuting members of the Mexican armed forces and police forces who have been credibly alleged under Mexican law to have committed violations of internationally recognized human rights.

(d) EXCEPTION.—Notwithstanding subsections (b) and (c), of the funds appropriated by subchapter A for assistance for Mexico under the heading ''International Narcotics Control and Law Enforcement'', $3,000,000 shall be made available for technical and other assistance to enable the Government of Mexico to implement a unified national registry encompassing Federal, state, and municipal police officials, and $5,000,000 may be made available to the Bureau of Alcohol, Tobacco, Firearms and Explosives to deploy special agents in Mexico to support Mexican law enforcement agencies in tracing seized firearms and investigating firearms trafficking cases: *Provided*, That section 484(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291c(a)) shall not apply with respect to assistance for Mexico made available by this chapter.

(e) REPORT.—The report required in subsection (b) shall include a description of actions taken with respect to each requirement specified in subsection (c) and the cases or issues brought to the attention of the Secretary of State for which the response or action taken has been inadequate.

(f) VETTING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report, in classified form if necessary, detailing the procedures used to vet Mexican armed forces and police forces for eligibility to receive assistance under this section.

(g) NOTIFICATION.—Funds made available for Mexico by this chapter shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

(h) SPENDING PLAN.—Not later than 45 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a detailed spending plan for funds appropriated or otherwise made available for Mexico by this chapter, which shall include a strategy for combating drug trafficking and related violent crime, judicial reform, institution building, and rule of law activities, with concrete goals, actions to be taken, budget proposals, and anticipated results.

(i) CONSULTATION.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until September 30, 2010, the Secretary of State shall consult with Mexican and internationally recognized human rights organizations on progress in meeting the requirements described in subsection (c).

CENTRAL AMERICA

SEC. 1405. (a) ASSISTANCE FOR THE COUNTRIES OF CENTRAL AMERICA.—Of the funds appropriated in subchapter A under the headings ''International Narcotics Control and Law Enforcement'', ''Foreign Military Financing Program'', ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', and ''Economic Support Fund'', $61,500,000 shall be made available for assistance for the countries of Central America, Haiti, and the Dominican Republic only to combat drug trafficking and related violent crime, and for judicial reform, institution building, rule of law activities, and maritime security: *Provided*, That of the funds appropriated under the heading ''Economic Support Fund'', $15,000,000 shall be made available through the United States Agency for International Development for an Economic and Social Development Fund for the countries of Central America: *Provided further*, That of the funds appropriated under the heading ''International Narcotics Control and Law Enforcement'', $2,500,000 shall be made available for assistance for Haiti and $2,500,000 shall be made available for assistance for the Dominican Republic: *Provided further*, That none of the funds shall be made available for budget support or as cash payments: *Provided further*, That none of the funds shall be available for obligation until the Secretary of State determines and reports to the Committees on Appropriations that vetting procedures are in place to ensure that Federal and municipal police forces and the armed forces of the countries of Central America that may receive assistance pursuant to this section have not been involved in human rights violations or corrupt acts.

(b) ALLOCATION OF FUNDS.—(1) Up to 75 percent of the funds appropriated under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' in subchapter A that are available for assistance for the countries of Central America may be obligated prior to the certification and report by the Secretary of State required in paragraph (2).

(2) The balance of the funds may be obligated not less than 120 days after the date of the enactment of this Act if, before such obligation, the Secretary of State determines and reports to the Committees on Appropriations that the requirements in subsection (c) have been met.

(c) REQUIREMENTS.—The requirements referred to in subsection (b)(2) are the following:

(1) The International Law Enforcement Academy (ILEA) in San Salvador, El Salvador is establishing a vetting procedure for police and other public security officials attending programs at the ILEA.

(2) The countries of Central America are—

(A) vetting members and units of Federal and municipal police forces and the armed forces that may receive assistance to ensure such members and units have not been involved in human rights violations or corrupt acts;

(B) strengthening law enforcement capabilities, developing effective systems information exchange, improving demand reduction, and expanding public education, prevention, and treatment programs;

(C) improving controls on chemical precursors;

(D) adopting and implementing reforms that improve the capacity and protect the independence of the judiciary;

(E) reforming criminal procedures to ensure due process and training Federal and municipal police leadership in modern policing to curb police abuses;

(F) targeting organizational structures and financial and other assets of drug cartels;

(G) taking steps to curb corruption in law enforcement agencies; and

(H) suspending, prosecuting, and punishing members of the police forces who have been credibly alleged to have committed violations of human rights and corrupt acts, and establishing policies for members of such forces that reward respect for human rights, in particular regarding the use of force.

(d) REPORT.—The report required in subsection (b)(2) shall include actions taken with respect to each requirement and the cases or issues brought to the attention of the Secretary for which the response or action taken has been inadequate.

(e) VETTING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations, in classified form if necessary, detailing the procedures used by the Government of the United States to vet the Federal and municipal police and the armed forces of the countries of Central America for eligibility to receive assistance under this section.

(f) NOTIFICATION.—Funds made available for the countries of Central America in subchapter A shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

(g) SPENDING PLAN.—Not later than 45 days after enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a detailed spending plan for funds appropriated or otherwise made available for the countries of Central America, Haiti and the Dominican Republic in subchapter A, which shall include a strategy for combating drug trafficking and related violent crime, judicial reform, institution building, and rule of law activities, with concrete goals, actions to be taken, budget proposals and anticipated results.

(h) CONSULTATION.—Not later than 90 days after the date of enactment of this Act and every 120 days thereafter until September 30, 2010, the Secretary of State shall consult with internationally recognized human rights organizations, and human rights organizations in the countries of Central America receiving assistance pursuant to this section, on progress in meeting the requirements described in subsection (c).

(i) DEFINITION.—For the purposes of this section, the term ''countries of Central America'' means Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama.

BUYING POWER MAINTENANCE ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

SEC. 1406. (a) Of the funds appropriated under the heading ''Diplomatic and Consular Programs'' and allocated by section 3810 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28), $26,000,000 shall be transferred to and merged with funds in the ''Buying Power Maintenance Account'': *Provided*, That of the funds made available by this chapter up to an additional $74,000,000 may be transferred to and merged with the ''Buying Power Maintenance Account'', subject to the regular notification procedures of the Committees on Appropriations and in accordance with the procedures in section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706). Any funds transferred pursuant to this section shall be available, without fiscal year limitation, pursuant to section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696).

(b) Section 24(b)(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended by amending subparagraph (D) to read as follows:

''(D) The authorities contained in this paragraph may be exercised only with respect to funds appropriated or otherwise made available after fiscal year 2008.''.

RESCISSIONS

SEC. 1407. (a) WORLD FOOD PROGRAM.—(1) For an additional amount for a contribution to the World Food Program to assist farmers in countries affected by food shortages to increase crop yields, notwithstanding any other provision of law, $20,000,000, to remain available until expended.

(2) Of the funds appropriated under the heading ''Andean Counterdrug Initiative'' in prior Acts making appropriations for foreign operations, export financing, and related programs, $20,000,000 are rescinded.

(b) SUDAN.—(1) For an additional amount for ''International Narcotics Control and Law Enforcement'', $10,000,000, for assistance for Sudan to support formed police units, to remain available until September 30, 2009, and subject to prior consultation with the Committees on Appropriations.

(2) Of the funds appropriated under the heading ''International Narcotics Control and Law Enforcement'' in prior Acts making appropriations for foreign operations, export financing, and related programs, $10,000,000 are rescinded.

(c) Section 8002 of this Act shall not apply to this section.

ALLOCATIONS

SEC. 1408. (a) Funds provided in this chapter for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the explanatory statement printed in the Congressional Record accompanying this Act:

''Diplomatic and Consular Programs''

''Economic Support Fund''.

(b) Any proposed increases or decreases to the amounts contained in such tables in the explanatory statement printed in the Congressional Record accompanying this Act shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

REPROGRAMMING AUTHORITY

SEC. 1409. Notwithstanding any other provision of law, to include minimum funding requirements or funding directives, funds made available under the headings ''Development Assistance'' and ''Economic Support Fund'' in prior Acts making appropriations for foreign operations, export financing, and related programs may be made available to address critical food shortages, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPENDING PLAN AND NOTIFICATION PROCEDURES

SEC. 1410. (a) SUBCHAPTER A SPENDING PLAN.—Not later than 45 days after the enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a report detailing planned expenditures for funds appropriated under the headings in subchapter A, except for funds appropriated under the headings ''International Disaster Assistance'', ''Migration and Refugee Assistance'', and ''United States Emergency Refugee and Migration Assistance Fund''.

(b) SUBCHAPTER B SPENDING PLAN.—The Secretary of State shall submit to the Committees on Appropriations not later than November 1, 2008, and prior to the initial obligation of funds, a detailed spending plan for funds appropriated or otherwise made available in subchapter B, except for funds appropriated under the headings ''International Disaster Assistance'', ''Migration and Refugee Assistance'', and ''United States Emergency Refugee and Migration Assistance Fund''.

(c) NOTIFICATION.—Funds made available in this chapter shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

TERMS AND CONDITIONS

SEC. 1411. Unless otherwise provided for in this Act, funds appropriated or otherwise made available by this chapter shall be available under the authorities and conditions provided in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110–161), except that section 699K of such Act shall not apply to funds in this chapter.

TITLE II—DOMESTIC MATTERS

CHAPTER 1—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Periodic Censuses and Programs'', $210,000,000, to remain available until expended, for necessary expenses related to the 2010 Decennial Census: *Provided*, That not less than $3,000,000 shall be transferred to the ''Office of Inspector General'' at the Department of Commerce for necessary expenses associated with oversight activities of the 2010 Decennial Census: *Provided further*, That not less than $1,000,000 shall be used only for a reimbursable agreement with the Defense Contract Management Agency to provide continuing contract management oversight of the 2010 Decennial Census.

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $178,000,000, to remain available until September 30, 2008.

CHAPTER 2—ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION

For an additional amount for ''Construction'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,835,000,000, to remain available until expended: *Provided*, That such sums shall not be available until October 1, 2008: *Provided further*, That the Secretary of the Army is directed to use $1,997,000,000 of the funds provided herein to modify authorized projects in southeast Louisiana to provide hurricane, storm and flood damage reduction in the greater New Orleans and surrounding areas to the levels of protection necessary to achieve the certification required for participation in the National Flood Insurance Program under the base flood elevations current at the time of enactment of this Act, and shall use $1,077,000,000 of those funds for the Lake Pontchartrain and Vicinity project and $920,000,000 of those funds for the West Bank and Vicinity project: *Provided further*, That, in addition, $838,000,000 of the funds provided herein shall be for elements of Southeast Louisiana Urban Drainage project within the geographic perimeter of the West Bank and Vicinity and Lake Pontchartrain and Vicinity projects, to provide for interior drainage of runoff from rainfall with a ten percent annual exceedance probability: *Provided further*, That the amounts provided herein shall be subject to a 65 percent Federal / 35 percent non-Federal cost share for the specified purposes: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for ''Flood Control and Coastal Emergencies'', as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,926,000,000, to remain available until expended: *Provided*, That such sums shall not be available until October 1, 2008: *Provided further*, That funds provided herein shall be used to reduce the risk of hurricane and storm damages to the greater New Orleans metropolitan area, at full Federal expense, for the following: $704,000,000 shall be used to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront; $90,000,000 shall be used for stormproofing interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events; $459,000,000 shall be used for armoring critical elements of the New Orleans hurricane and storm damage reduction system; $53,000,000 shall be used to improve protection at the Inner Harbor Navigation Canal; $456,000,000 shall be used to replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the existing New Orleans to Venice hurricane protection project; $412,000,000 shall be used for reinforcing or replacing flood walls, as necessary, in the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project to improve the performance of the systems; $393,000,000 shall be used for repair and restoration of authorized protections and floodwalls; and $359,000,000 shall be used to complete the authorized protection for the Lake Pontchartrain and Vicinity Project and for the West Bank and Vicinity Project: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds: *Provided further*, That any project using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Assistant Secretary of the Army for Civil Works requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of completed elements and to hold and save the United States free from damages due to the construction, operation, and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That the expenditure of funds as provided above may be made without regard to individual amounts or purposes except that any reallocation of funds that is necessary to accomplish the established goals is authorized, subject to the approval of the House and Senate Committees on Appropriations.

CHAPTER 3—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For an additional amount for ''State Unemployment Insurance and Employment Service Operations'' for grants to the States for the administration of State unemployment insurance, $110,000,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, to be used for unemployment insurance workloads experienced by the States through September 30, 2008, which shall be available for Federal obligation through December 31, 2008.

CHAPTER 4—LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Annette Lantos, widow of Tom Lantos, late a Representative from the State of California, $169,300: *Provided*, That section 8002 shall not apply to this appropriation.

TITLE III—VETERANS EDUCATIONAL ASSISTANCE

SHORT TITLE

SEC. 3001. This title may be cited as the ''Post-9/11 Veterans Educational Assistance Act of 2008''.

FINDINGS

SEC. 3002. Congress makes the following findings:

(1) On September 11, 2001, terrorists attacked the United States, and the brave members of the Armed Forces of the United States were called to the defense of the Nation.

(2) Service on active duty in the Armed Forces has been especially arduous for the members of the Armed Forces since September 11, 2001.

(3) The United States has a proud history of offering educational assistance to millions of veterans, as demonstrated by the many ''G.I. Bills'' enacted since World War II. Educational assistance for veterans helps reduce the costs of war, assist veterans in readjusting to civilian life after wartime service, and boost the United States economy, and has a positive effect on recruitment for the Armed Forces.

(4) The current educational assistance program for veterans is outmoded and designed for peacetime service in the Armed Forces.

(5) The people of the United States greatly value military service and recognize the difficult challenges involved in readjusting to civilian life after wartime service in the Armed Forces.

(6) It is in the national interest for the United States to provide veterans who serve on active duty in the Armed Forces after September 11, 2001, with enhanced educational assistance benefits that are worthy of such service and are commensurate with the educational assistance benefits provided by a grateful Nation to veterans of World War II.

EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE ARMED FORCES WHO SERVE AFTER SEPTEMBER 11, 2001

SEC. 3003. (a) EDUCATIONAL ASSISTANCE AUTHORIZED.—

(1) IN GENERAL.—Part III of title 38, United States Code, is amended by inserting after chapter 32 the following new chapter:

''CHAPTER 33—POST–9/11 EDUCATIONAL ASSISTANCE

''SUBCHAPTER I—DEFINITIONS

''Sec.
''3301. Definitions.

''SUBCHAPTER II—EDUCATIONAL ASSISTANCE

''3311. Educational assistance for service in the Armed Forces commencing on or after September 11, 2001: entitlement.
''3312. Educational assistance: duration.
''3313. Educational assistance: amount; payment.
''3314. Tutorial assistance.
''3315. Licensure and certification tests.
''3316. Supplemental educational assistance: members with critical skills or specialty; members serving additional service.
''3317. Public-private contributions for additional educational assistance.

''SUBCHAPTER III—ADMINISTRATIVE PROVISIONS

''3321. Time limitation for use of and eligibility for entitlement.
''3322. Bar to duplication of educational assistance benefits.
''3323. Administration.
''3324. Allocation of administration and costs.

''SUBCHAPTER I—DEFINITIONS

''§ 3301. Definitions

''In this chapter:

''(1) The term 'active duty' has the meanings as follows (subject to the limitations specified in sections 3002(6) and 3311(b) of this title):

''(A) In the case of members of the regular components of the Armed Forces, the meaning given such term in section 101(21)(A) of this title.

''(B) In the case of members of the reserve components of the Armed Forces, service on active duty under a call or order to active duty under section 688, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10.

''(2) The term 'entry level and skill training' means the following:

''(A) In the case of members of the Army, Basic Combat Training and Advanced Individual Training.

''(B) In the case of members of the Navy, Recruit Training (or Boot Camp) and Skill Training (or so-called 'A' School).

''(C) In the case of members of the Air Force, Basic Military Training and Technical Training.

''(D) In the case of members of the Marine Corps, Recruit Training and Marine Corps Training (or School of Infantry Training).

''(E) In the case of members of the Coast Guard, Basic Training.

''(3) The term 'program of education' has the meaning the meaning given such term in section 3002 of this title, except to the extent otherwise provided in section 3313 of this title.

''(4) The term 'Secretary of Defense' has the meaning given such term in section 3002 of this title.

''SUBCHAPTER II—EDUCATIONAL ASSISTANCE

''§ 3311. Educational assistance for service in the Armed Forces commencing on or after September 11, 2001: entitlement

''(a) ENTITLEMENT.—Subject to subsections (d) and (e), each individual described in subsection (b) is entitled to educational assistance under this chapter.

''(b) COVERED INDIVIDUALS.—An individual described in this subsection is any individual as follows:

''(1) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 36 months on active duty in the Armed Forces (including service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty; or

''(ii) is discharged or released from active duty as described in subsection (c).

''(2) An individual who—

''(A) commencing on or after September 11, 2001, serves at least 30 continuous days on active duty in the Armed Forces; and

''(B) after completion of service described in subparagraph (A), is discharged or released from active duty in the Armed Forces for a service-connected disability.

''(3) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 30 months, but less than 36 months, on active duty in the Armed Forces (including service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 36 months; or

''(ii) before completion of service on active duty of an aggregate of 36 months, is discharged or released from active duty as described in subsection (c).

''(4) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 24 months, but less than 30 months, on active duty in the Armed Forces (including service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 30 months; or

''(ii) before completion of service on active duty of an aggregate of 30 months, is discharged or released from active duty as described in subsection (c).

''(5) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 18 months, but less than 24 months, on active duty in the Armed Forces (excluding service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 24 months; or

''(ii) before completion of service on active duty of an aggregate of 24 months, is discharged or released from active duty as described in subsection (c).

''(6) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 12 months, but less than 18 months, on active duty in the Armed Forces (excluding service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 18 months; or

''(ii) before completion of service on active duty of an aggregate of 18 months, is discharged or released from active duty as described in subsection (c).

''(7) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 6 months, but less than 12 months, on active duty in the Armed Forces (excluding service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 12 months; or

''(ii) before completion of service on active duty of an aggregate of 12 months, is discharged or released from active duty as described in subsection (c).

''(8) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 90 days, but less than 6 months, on active duty in the Armed Forces (excluding service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 6 months; or

''(ii) before completion of service on active duty of an aggregate of 6 months, is discharged or released from active duty as described in subsection (c).

''(c) COVERED DISCHARGES AND RELEASES.—A discharge or release from active duty of an individual described in this subsection is a discharge or release as follows:

''(1) A discharge from active duty in the Armed Forces with an honorable discharge.

''(2) A release after service on active duty in the Armed Forces characterized by the Secretary concerned as honorable service and placement on the retired list, transfer to the Fleet Reserve or Fleet Marine Corps Reserve, or placement on the temporary disability retired list.

''(3) A release from active duty in the Armed Forces for further service in a reserve component of the Armed Forces after service on active duty characterized by the Secretary concerned as honorable service.

''(4) A discharge or release from active duty in the Armed Forces for—

''(A) a medical condition which preexisted the service of the individual as described in the applicable paragraph of subsection (b) and which the Secretary determines is not service-connected;

''(B) hardship; or

''(C) a physical or mental condition that was not characterized as a disability and did not result from the individual's own willful misconduct but did interfere with the individual's performance of duty, as determined by the Secretary concerned in accordance with regulations prescribed by the Secretary of Defense.

''(d) PROHIBITION ON TREATMENT OF CERTAIN SERVICE AS PERIOD OF ACTIVE DUTY.—The following periods of service shall not be considered a part of the period of active duty on which an individual's entitlement to educational assistance under this chapter is based:

''(1) A period of service on active duty of an officer pursuant to an agreement under section 2107(b) of title 10.

''(2) A period of service on active duty of an officer pursuant to an agreement under section 4348, 6959, or 9348 of title 10.

''(3) A period of service that is terminated because of a defective enlistment and induction based on—

''(A) the individual's being a minor for purposes of service in the Armed Forces;

''(B) an erroneous enlistment or induction; or

''(C) a defective enlistment agreement.

''(e) TREATMENT OF INDIVIDUALS ENTITLED UNDER MULTIPLE PROVISIONS.—In the event an individual entitled to educational assistance under this chapter is entitled by reason of both paragraphs (4) and (5) of subsection (b), the individual shall be treated as being entitled to educational assistance under this chapter by reason of paragraph (5) of such subsection.

''§ 3312. Educational assistance: duration

''(a) IN GENERAL.—Subject to section 3695 of this title and except as provided in subsections (b) and (c), an individual entitled to educational assistance under this chapter is entitled to a number of months of educational assistance under section 3313 of this title equal to 36 months.

''(b) CONTINUING RECEIPT.—The receipt of educational assistance under section 3313 of this title by an individual entitled to educational assistance under this chapter is subject to the provisions of section 3321(b)(2) of this title.

''(c) DISCONTINUATION OF EDUCATION FOR ACTIVE DUTY.—(1) Any payment of educational assistance described in paragraph (2) shall not—

''(A) be charged against any entitlement to educational assistance of the individual concerned under this chapter; or

''(B) be counted against the aggregate period for which section 3695 of this title limits the individual's receipt of educational assistance under this chapter.

''(2) Subject to paragraph (3), the payment of educational assistance described in this paragraph is the payment of such assistance to an individual for pursuit of a course or courses under this chapter if the Secretary finds that the individual—

''(A)(i) in the case of an individual not serving on active duty, had to discontinue such course pursuit as a result of being called or ordered to serve on active duty under section 688, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10; or

''(ii) in the case of an individual serving on active duty, had to discontinue such course pursuit as a result of being ordered to a new duty location or assignment or to perform an increased amount of work; and

''(B) failed to receive credit or lost training time toward completion of the individual's approved education, professional, or vocational objective as a result of having to discontinue, as described in subparagraph (A), the individual's course pursuit.

''(3) The period for which, by reason of this subsection, educational assistance is not charged against entitlement or counted toward the applicable aggregate period under section 3695 of this title shall not exceed the portion of the period of enrollment in the course or courses from which the individual failed to receive credit or with respect to which the individual lost training time, as determined under paragraph (2)(B).

''§ 3313. Educational assistance: amount; payment

''(a) PAYMENT.—The Secretary shall pay to each individual entitled to educational assistance under this chapter who is pursuing an approved program of education (other

than a program covered by subsections (e) and (f)) the amounts specified in subsection (c) to meet the expenses of such individual's subsistence, tuition, fees, and other educational costs for pursuit of such program of education.

''(b) APPROVED PROGRAMS OF EDUCATION.—A program of education is an approved program of education for purposes of this chapter if the program of education is offered by an institution of higher learning (as that term is defined in section 3452(f) of this title) and is approved for purposes of chapter 30 of this title (including approval by the State approving agency concerned).

''(c) AMOUNT OF EDUCATIONAL ASSISTANCE.—The amounts payable under this subsection for pursuit of an approved program of education are amounts as follows:

''(1) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(1) or 3311(b)(2) of this title, amounts as follows:

''(A) An amount equal to the established charges for the program of education, except that the amount payable under this subparagraph may not exceed the maximum amount of established charges regularly charged in-State students for full-time pursuit of approved programs of education for undergraduates by the public institution of higher education offering approved programs of education for undergraduates in the State in which the individual is enrolled that has the highest rate of regularly-charged established charges for such programs of education among all public institutions of higher education in such State offering such programs of education.

''(B) A monthly stipend in an amount as follows:

''(i) For each month the individual pursues the program of education, other than a program of education offered through distance learning, a monthly housing stipend amount equal to the monthly amount of the basic allowance for housing payable under section 403 of title 37 for a member with dependents in pay grade E–5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the institution of higher education at which the individual is enrolled.

''(ii) For the first month of each quarter, semester, or term, as applicable, of the program of education pursued by the individual, a lump sum amount for books, supplies, equipment, and other educational costs with respect to such quarter, semester, or term in the amount equal to—

''(I) $1,000, multiplied by

''(II) the fraction which is the portion of a complete academic year under the program of education that such quarter, semester, or term constitutes.

''(2) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(3) of this title, amounts equal to 90 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(3) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(4) of this title, amounts equal to 80 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(4) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(5) of this title, amounts equal to 70 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(5) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(6) of this title, amounts equal to 60 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(6) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(7) of this title, amounts equal to 50 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(7) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(8) of this title, amounts equal to 40 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(d) FREQUENCY OF PAYMENT.—(1) Payment of the amounts payable under subsection (c)(1)(A), and of similar amounts payable under paragraphs (2) through (7) of subsection (c), for pursuit of a program of education shall be made for the entire quarter, semester, or term, as applicable, of the program of education.

''(2) Payment of the amount payable under subsection (c)(1)(B), and of similar amounts payable under paragraphs (2) through (7) of subsection (c), for pursuit of a program of education shall be made on a monthly basis.

''(3) The Secretary shall prescribe in regulations methods for determining the number of months (including fractions thereof) of entitlement of an individual to educational assistance this chapter that are chargeable under this chapter for an advance payment of amounts under paragraphs (1) and (2) for pursuit of a program of education on a quarter, semester, term, or other basis.

''(e) PROGRAMS OF EDUCATION PURSUED ON ACTIVE DUTY.—(1) Educational assistance is payable under this chapter for pursuit of an approved program of education while on active duty.

''(2) The amount of educational assistance payable under this chapter to an individual pursuing a program of education while on active duty is the lesser of—

''(A) the established charges which similarly circumstanced nonveterans enrolled in the program of education involved would be required to pay; or

''(B) the amount of the charges of the educational institution as elected by the individual in the manner specified in section 3014(b)(1) of this title.

''(3) Payment of the amount payable under paragraph (2) for pursuit of a program of education shall be made for the entire quarter, semester, or term, as applicable, of the program of education.

''(4) For each month (as determined pursuant to the methods prescribed under subsection (d)(3)) for which amounts are paid an individual under this subsection, the entitlement of the individual to educational assistance under this chapter shall be charged at the rate of one month for each such month.

''(f) PROGRAMS OF EDUCATION PURSUED ON HALF-TIME BASIS OR LESS.—(1) Educational assistance is payable under this chapter for pursuit of an approved program of education on half-time basis or less.

''(2) The educational assistance payable under this chapter to an individual pursuing a program of education on half-time basis or less is the amounts as follows:

''(A) The amount equal to the lesser of—

''(i) the established charges which similarly circumstanced nonveterans enrolled in the program of education involved would be required to pay; or

''(ii) the maximum amount that would be payable to the individual for the program of education under paragraph (1)(A) of subsection (c), or under the provisions of paragraphs (2) through (7) of subsection (c) applicable to the individual, for the program of education if the individual were entitled to amounts for the program of education under subsection (c) rather than this subsection.

''(B) A stipend in an amount equal to the amount of the appropriately reduced amount of the lump sum amount for books, supplies, equipment, and other educational costs otherwise payable to the individual under subsection (c).

''(3) Payment of the amounts payable to an individual under paragraph (2) for pursuit of a program of education on half-time basis or less shall be made for the entire quarter, semester, or term, as applicable, of the program of education.

''(4) For each month (as determined pursuant to the methods prescribed under subsection (d)(3)) for which amounts are paid an individual under this subsection, the entitlement of the individual to educational assistance under this chapter shall be charged at a percentage of a month equal to—

''(A) the number of course hours borne by the individual in pursuit of the program of education involved, divided by

''(B) the number of course hours for full-time pursuit of such program of education.

''(g) PAYMENT OF ESTABLISHED CHARGES TO EDUCATIONAL INSTITUTIONS.—Amounts payable under subsections (c)(1)(A) (and of similar amounts payable under paragraphs (2) through (7) of subsection (c)), (e)(2) and (f)(2)(A) shall be paid directly to the educational institution concerned.

''(h) ESTABLISHED CHARGES DEFINED.—(1) In this section, the term 'established charges', in the case of a program of education, means the actual charges (as determined pursuant to regulations prescribed by the Secretary) for tuition and fees which similarly circumstanced nonveterans enrolled in the program of education would be required to pay.

''(2) Established charges shall be determined for purposes of this subsection on the following basis:

''(A) In the case of an individual enrolled in a program of education offered on a term, quarter, or semester basis, the tuition and fees charged the individual for the term, quarter, or semester.

''(B) In the case of an individual enrolled in a program of education not offered on a term, quarter, or semester basis, the tuition and fees charged the individual for the entire program of education.

''§ 3314. Tutorial assistance

''(a) IN GENERAL.—Subject to subsection (b), an individual entitled to educational assistance under this chapter shall also be entitled to benefits provided an eligible veteran under section 3492 of this title.

''(b) CONDITIONS.—(1) The provision of benefits under subsection (a) shall be subject to the conditions applicable to an eligible veteran under section 3492 of this title.

''(2) In addition to the conditions specified in paragraph (1), benefits may not be provided to an individual under subsection (a) unless the professor or other individual teaching, leading, or giving the course for which such benefits are provided certifies that—

''(A) such benefits are essential to correct a deficiency of the individual in such course; and

''(B) such course is required as a part of, or is prerequisite or indispensable to the satisfactory pursuit of, an approved program of education.

''(c) AMOUNT.—(1) The amount of benefits described in subsection (a) that are payable under this section may not exceed $100 per month, for a maximum of 12 months, or until a maximum of $1,200 is utilized.

''(2) The amount provided an individual under this subsection is in addition to the amounts of educational assistance paid the individual under section 3313 of this title.

''(d) NO CHARGE AGAINST ENTITLEMENT.—Any benefits provided an individual under subsection (a) are in addition to any other educational assistance benefits provided the individual under this chapter.

''§ 3315. Licensure and certification tests

''(a) IN GENERAL.—An individual entitled to educational assistance under this chapter shall also be entitled to payment for one licensing or certification test described in section 3452(b) of this title.

''(b) LIMITATION ON AMOUNT.—The amount payable under subsection (a) for a licensing or certification test may not exceed the lesser of—

''(1) $2,000; or

''(2) the fee charged for the test.

''(c) NO CHARGE AGAINST ENTITLEMENT.—Any amount paid an individual under subsection (a) is in addition to any other educational assistance benefits provided the individual under this chapter.

''§ 3316. Supplemental educational assistance: members with critical skills or specialty; members serving additional service

''(a) INCREASED ASSISTANCE FOR MEMBERS WITH CRITICAL SKILLS OR SPECIALTY.—(1) In the case of an individual who has a skill or specialty designated by the Secretary concerned as a skill or specialty in which there is a critical shortage of personnel or for which it is difficult to recruit or, in the case of critical units, retain personnel, the Secretary concerned may increase the monthly amount of educational assistance otherwise payable to the individual under paragraph (1)(B) of section 3313(c) of this title, or under paragraphs (2) through (7) of such section (as applicable).

''(2) The amount of the increase in educational assistance authorized by paragraph (1) may not exceed the amount equal to the monthly amount of increased basic educational assistance providable under section 3015(d)(1) of this title at the time of the increase under paragraph (1).

''(b) SUPPLEMENTAL ASSISTANCE FOR ADDITIONAL SERVICE.—(1) The Secretary concerned may provide for the payment to an individual entitled to educational assistance under this chapter of supplemental educational assistance for additional service authorized by subchapter III of chapter 30 of this title. The amount so payable shall be payable as an increase in the monthly amount of educational assistance otherwise payable to the individual under paragraph (1)(B) of section 3313(c) of this title, or under paragraphs (2) through (7) of such section (as applicable).

''(2) Eligibility for supplement educational assistance under this subsection shall be determined in accordance with the provisions of subchapter III of chapter 30 of this title, except that any reference in such provisions to eligibility for basic educational assistance under a provision of subchapter II of chapter 30 of this title shall be treated as a reference to eligibility for educational assistance under the appropriate provision of this chapter.

''(3) The amount of supplemental educational assistance payable under this subsection shall be the amount equal to the monthly amount of supplemental educational payable under section 3022 of this title.

''(c) REGULATIONS.—The Secretaries concerned shall administer this section in accordance with such regulations as the Secretary of Defense shall prescribe.

''§ 3317. Public-private contributions for additional educational assistance

''(a) ESTABLISHMENT OF PROGRAM.—In instances where the educational assistance provided pursuant to section 3313(c)(1)(A) does not cover the full cost of established charges (as specified in section 3313 of this title), the Secretary shall carry out a program under which colleges and universities can, voluntarily, enter into an agreement with the Secretary to cover a portion of those established charges not otherwise covered under section 3313(c)(1)(A), which contributions shall be matched by equivalent contributions toward such costs by the Secretary. The program shall only apply to covered individuals described in paragraphs (1) and (2) of section 3311(b).

''(b) DESIGNATION OF PROGRAM.—The program under this section shall be known as the 'Yellow Ribbon G.I. Education Enhancement Program'.

''(c) AGREEMENTS.—The Secretary shall enter into an agreement with each college or university seeking to participate in the program under this section. Each agreement shall specify the following:

''(1) The manner (whether by direct grant, scholarship, or otherwise) of the contributions to be made by the college or university concerned.

''(2) The maximum amount of the contribution to be made by the college or university concerned with respect to any particular individual in any given academic year.

''(3) The maximum number of individuals for whom the college or university concerned will make contributions in any given academic year.

''(4) Such other matters as the Secretary and the college or university concerned jointly consider appropriate.

''(d) MATCHING CONTRIBUTIONS.—(1) In instances where the educational assistance provided an individual under section 3313(c)(1)(A) of this title does not cover the full cost of tuition and mandatory fees at a college or university, the Secretary shall provide up to 50 percent of the remaining costs for tuition and mandatory fees if the college or university voluntarily enters into an agreement with the Secretary to match an equal percentage of any of the remaining costs for such tuition and fees.

''(2) Amounts available to the Secretary under section 3324(b) of this title for payment of the costs of this chapter shall be available to the Secretary for purposes of paragraph (1).

''(e) OUTREACH.—The Secretary shall make available on the Internet website of the Department available to the public a current list of the colleges and universities participating in the program under this section. The list shall specify, for each college or university so listed, appropriate information on the agreement between the Secretary and such college or university under subsection (c).

''SUBCHAPTER III—ADMINISTRATIVE PROVISIONS

''§ 3321. Time limitation for use of and eligibility for entitlement

''(a) IN GENERAL.—Except as provided in this section, the period during which an individual entitled to educational assistance under this chapter may use such individual's entitlement expires at the end of the 15-year period beginning on the date of such individual's last discharge or release from active duty.

''(b) EXCEPTIONS.—(1) Subsections (b), (c), and (d) of section 3031 of this title shall apply with respect to the running of the 15-year period described in subsection (a) of this section in the same manner as such subsections apply under section 3031 of this title with respect to the running of the 10-year period described in section 3031(a) of this title.

''(2) Section 3031(f) of this title shall apply with respect to the termination of an individual's entitlement to educational assistance under this chapter in the same manner as such section applies to the termination of an individual's entitlement to educational assistance under chapter 30 of this title, except that, in the administration of such section for purposes of this chapter, the reference to section 3013 of this title shall be deemed to be a reference to 3312 of this title.

''(3) For purposes of subsection (a), an individual's last discharge or release from active duty shall not include any discharge or release from a period of active duty of less than 90 days of continuous service, unless the individual is discharged or released as described in section 3311(b)(2) of this title.

''§ 3322. Bar to duplication of educational assistance benefits

''(a) IN GENERAL.—An individual entitled to educational assistance under this chapter who is also eligible for educational assistance under chapter 30, 31, 32, or 35 of this title, chapter 107, 1606, or 1607 of title 10, or the provisions of the Hostage Relief Act of 1980 (Public Law 96–449; 5 U.S.C. 5561 note) may not receive assistance under two or more such programs concurrently, but shall elect (in such form and manner as the Secretary may prescribe) under which chapter or provisions to receive educational assistance.

''(b) INAPPLICABILITY OF SERVICE TREATED UNDER EDUCATIONAL LOAN REPAYMENT PROGRAMS.—A period of service counted for purposes of repayment of an education loan under chapter 109 of title 10 may not be counted as a period of service for entitlement to educational assistance under this chapter.

''(c) SERVICE IN SELECTED RESERVE.—An individual who serves in the Selected Reserve may receive credit for such service under only one of this chapter, chapter 30 of this title, and chapters 1606 and 1607 of title 10, and shall elect (in such form and manner as the Secretary may prescribe) under which chapter such service is to be credited.

''(d) ADDITIONAL COORDINATION MATTERS.—In the case of an individual entitled to educational assistance under chapter 30, 31, 32, or 35 of this title, chapter 107, 1606, or 1607 of title 10, or the provisions of the Hostage Relief Act of 1980, or making contributions toward entitlement to educational assistance under chapter 30 of this title, as of August 1, 2009, coordination of entitlement to educational assistance under this chapter, on the one hand, and such chapters or provisions, on the other, shall be governed by the provisions of section 3003(c) of the Post-9/11 Veterans Educational Assistance Act of 2008.

''§ 3323. Administration

''(a) IN GENERAL.—(1) Except as otherwise provided in this chapter, the provisions specified in section 3034(a)(1) of this title shall apply to the provision of educational assistance under this chapter.

''(2) In applying the provisions referred to in paragraph (1) to an individual entitled to educational assistance under this chapter for purposes of this section, the reference in such provisions to the term 'eligible veteran' shall be deemed to refer to an individual entitled to educational assistance under this chapter.

''(3) In applying section 3474 of this title to an individual entitled to educational assistance under this chapter for purposes of this section, the reference in such section 3474 to the term 'educational assistance allowance' shall be deemed to refer to educational assistance payable under section 3313 of this title.

''(4) In applying section 3482(g) of this title to an individual entitled to educational assistance under this chapter for purposes of this section—

''(A) the first reference to the term 'educational assistance allowance' in such section 3482(g) shall be deemed to refer to educational assistance payable under section 3313 of this title; and

''(B) the first sentence of paragraph (1) of such section 3482(g) shall be applied as if such sentence ended with 'equipment'.

''(b) INFORMATION ON BENEFITS.—(1) The Secretary of Veterans Affairs shall provide the information described in paragraph (2) to each member of the Armed Forces at such times as the Secretary of Veterans Affairs and the Secretary of Defense shall jointly prescribe in regulations.

''(2) The information described in this paragraph is information on benefits, limitations, procedures, eligibility requirements (including time-in-service requirements), and other important aspects of educational assistance under this chapter, including application forms for such assistance under section 5102 of this title.

''(3) The Secretary of Veterans Affairs shall furnish the information and forms described in paragraph (2), and other educational materials on educational assistance under this chapter, to educational institutions, training establishments, military education personnel, and such other persons and entities as the Secretary considers appropriate.

''(c) REGULATIONS.—(1) The Secretary shall prescribe regulations for the administration of this chapter.

''(2) Any regulations prescribed by the Secretary of Defense for purposes of this chapter shall apply uniformly across the Armed Forces.

''§ 3324. Allocation of administration and costs

''(a) ADMINISTRATION.—Except as otherwise provided in this chapter, the Secretary shall administer the provision of educational assistance under this chapter.

''(b) COSTS.—Payments for entitlement to educational assistance earned under this chapter shall be made from funds appropriated to, or otherwise made available to, the Department of Veterans Affairs for the payment of readjustment benefits.''.

(2) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 38, United States Code, and at the beginning of part III of such title, are each amended by inserting after the item relating to chapter 32 the following new item:

''33. Post-9/11 Educational Assistance 3301''.

(b) CONFORMING AMENDMENTS.—

(1) AMENDMENTS RELATING TO DUPLICATION OF BENEFITS.—

(A) Section 3033 of title 38, United States Code, is amended—

(i) in subsection (a)(1), by inserting ''33,'' after ''32,''; and

(ii) in subsection (c), by striking ''both the program established by this chapter and the program established by chapter 106 of title 10'' and inserting ''two or more of the programs established by this chapter, chapter 33 of this title, and chapters 1606 and 1607 of title 10''.

(B) Paragraph (4) of section 3695(a) of such title is amended to read as follows:

''(4) Chapters 30, 32, 33, 34, 35, and 36 of this title.''.

(C) Section 16163(e) of title 10, United States Code, is amended by inserting ''33,'' after ''32,''.

(2) ADDITIONAL CONFORMING AMENDMENTS.—

(A) Title 38, United States Code, is further amended by inserting ''33,'' after ''32,'' each place it appears in the following provisions:

(i) In subsections (b) and (e)(1) of section 3485.

(ii) In section 3688(b).

(iii) In subsections (a)(1), (c)(1), (c)(1)(G), (d), and (e)(2) of section 3689.

(iv) In section 3690(b)(3)(A).

(v) In subsections (a) and (b) of section 3692.

(vi) In section 3697(a).

(B) Section 3697A(b)(1) of such title is amended by striking ''or 32'' and inserting ''32, or 33''.

(c) APPLICABILITY TO INDIVIDUALS UNDER MONTGOMERY GI BILL PROGRAM.—

(1) INDIVIDUALS ELIGIBLE TO ELECT PARTICIPATION IN POST-9/11 EDUCATIONAL ASSISTANCE.—An individual may elect to receive educational assistance under chapter 33 of title 38, United States Code (as added by subsection (a)), if such individual—

(A) as of August 1, 2009—

(i) is entitled to basic educational assistance under chapter 30 of title 38, United States Code, and has used, but retains unused, entitlement under that chapter;

(ii) is entitled to educational assistance under chapter 107, 1606, or 1607 of title 10, United States Code, and has used, but retains unused, entitlement under the applicable chapter;

(iii) is entitled to basic educational assistance under chapter 30 of title 38, United States Code, but has not used any entitlement under that chapter;

(iv) is entitled to educational assistance under chapter 107, 1606, or 1607 of title 10, United States Code, but has not used any entitlement under such chapter;

(v) is a member of the Armed Forces who is eligible for receipt of basic educational assistance under chapter 30 of title 38, United States Code, and is making contributions toward such assistance under section 3011(b) or 3012(c) of such title; or

(vi) is a member of the Armed Forces who is not entitled to basic educational assistance under chapter 30 of title 38, United States Code, by reason of an election under section 3011(c)(1) or 3012(d)(1) of such title; and

(B) as of the date of the individual's election under this paragraph, meets the requirements for entitlement to educational assistance under chapter 33 of title 38, United States Code (as so added).

(2) CESSATION OF CONTRIBUTIONS TOWARD GI BILL.—Effective as of the first month beginning on or after the date of an election under paragraph (1) of an individual described by subparagraph (A)(v) of that paragraph, the obligation of the individual to make contributions under section 3011(b) or 3012(c) of title 38, United States Code, as applicable, shall cease, and the requirements of such section shall be deemed to be no longer applicable to the individual.

(3) REVOCATION OF REMAINING TRANSFERRED ENTITLEMENT.—

(A) ELECTION TO REVOKE.—If, on the date an individual described in subparagraph (A)(i) or (A)(iii) of paragraph (1) makes an election under that paragraph, a transfer of the entitlement of the individual to basic educational assistance under section 3020 of title 38, United States Code, is in effect and a number of months of the entitlement so transferred remain unutilized, the individual may elect to revoke all or a portion of the entitlement so transferred that remains unutilized.

(B) AVAILABILITY OF REVOKED ENTITLEMENT.—Any entitlement revoked by an individual under this paragraph shall no longer be available to the dependent to whom transferred, but shall be available to the individual instead for educational assistance under chapter 33 of title 38, United States Code (as so added), in accordance with the provisions of this subsection.

(C) AVAILABILITY OF UNREVOKED ENTITLEMENT.—Any entitlement described in subparagraph (A) that is not revoked by an individual in accordance with that subparagraph shall remain available to the dependent or dependents concerned in accordance with the current transfer of such entitlement under section 3020 of title 38, United States Code.

(4) POST-9/11 EDUCATIONAL ASSISTANCE.—

(A) IN GENERAL.—Subject to subparagraph (B) and except as provided in paragraph (5), an individual making an election under paragraph (1) shall be entitled to educational assistance under chapter 33 of title 38, United States Code (as so added), in accordance with the provisions of such chapter, instead of basic educational assistance under chapter 30 of title 38, United States Code, or educational assistance under chapter 107, 1606, or 1607 of title 10, United States Code, as applicable.

(B) LIMITATION ON ENTITLEMENT FOR CERTAIN INDIVIDUALS.—In the case of an individual making an election under paragraph (1) who is described by subparagraph (A)(i) of that paragraph, the number of months of entitlement of the individual to educational assistance under chapter 33 of title 38, United States Code (as so added), shall be the number of months equal to—

(i) the number of months of unused entitlement of the individual under chapter 30 of title 38, United States Code, as of the date of the election, plus

(ii) the number of months, if any, of entitlement revoked by the individual under paragraph (3)(A).

(5) CONTINUING ENTITLEMENT TO EDUCATIONAL ASSISTANCE NOT AVAILABLE UNDER 9/11 ASSISTANCE PROGRAM.—

(A) IN GENERAL.—In the event educational assistance to which an individual making an election under paragraph (1) would be entitled under chapter 30 of title 38, United States Code, or chapter 107, 1606, or 1607 of title 10, United States Code, as applicable, is not authorized to be available to the individual under the provisions of chapter 33 of title 38, United States Code (as so added), the individual shall remain entitled to such educational assistance in accordance with the provisions of the applicable chapter.

(B) CHARGE FOR USE OF ENTITLEMENT.—The utilization by an individual of entitlement under subparagraph (A) shall be chargeable against the entitlement of the individual to educational assistance under chapter 33 of title 38, United States Code (as so added), at the rate of one month of entitlement under such chapter 33 for each month of entitlement utilized by the individual under subparagraph (A) (as determined as if such entitlement were utilized under the provisions of chapter 30 of title 38, United States Code, or chapter 107, 1606, or 1607 of title 10, United States Code, as applicable).

(6) ADDITIONAL POST-9/11 ASSISTANCE FOR MEMBERS HAVING MADE CONTRIBUTIONS TOWARD GI BILL.—

(A) ADDITIONAL ASSISTANCE.—In the case of an individual making an election under paragraph (1) who is described by clause (i), (iii), or (v) of subparagraph (A) of that paragraph, the amount of educational assistance payable to the individual under chapter 33 of title 38, United States Code (as so added), as a monthly stipend payable under paragraph (1)(B) of section 3313(c) of such title (as so added), or under paragraphs (2) through (7) of

that section (as applicable), shall be the amount otherwise payable as a monthly stipend under the applicable paragraph increased by the amount equal to—

(i) the total amount of contributions toward basic educational assistance made by the individual under section 3011(b) or 3012(c) of title 38, United States Code, as of the date of the election, multiplied by

(ii) the fraction—

(I) the numerator of which is—

(aa) the number of months of entitlement to basic educational assistance under chapter 30 of title 38, United States Code, remaining to the individual at the time of the election; plus

(bb) the number of months, if any, of entitlement under such chapter 30 revoked by the individual under paragraph (3)(A); and

(II) the denominator of which is 36 months.

(B) MONTHS OF REMAINING ENTITLEMENT FOR CERTAIN INDIVIDUALS.—In the case of an individual covered by subparagraph (A) who is described by paragraph (1)(A)(v), the number of months of entitlement to basic educational assistance remaining to the individual for purposes of subparagraph (A)(ii)(I)(aa) shall be 36 months.

(C) TIMING OF PAYMENT.—The amount payable with respect to an individual under subparagraph (A) shall be paid to the individual together with the last payment of the monthly stipend payable to the individual under paragraph (1)(B) of section 3313(c) of title 38, United States Code (as so added), or under paragraphs (2) through (7) of that section (as applicable), before the exhaustion of the individual's entitlement to educational assistance under chapter 33 of such title (as so added).

(7) CONTINUING ENTITLEMENT TO ADDITIONAL ASSISTANCE FOR CRITICAL SKILLS OR SPECIALITY AND ADDITIONAL SERVICE.—An individual making an election under paragraph (1)(A) who, at the time of the election, is entitled to increased educational assistance under section 3015(d) of title 38, United States Code, or section 16131(i) of title 10, United States Code, or supplemental educational assistance under subchapter III of chapter 30 of title 38, United States Code, shall remain entitled to such increased educational assistance or supplemental educational assistance in the utilization of entitlement to educational assistance under chapter 33 of title 38, United States Code (as so added), in an amount equal to the quarter, semester, or term, as applicable, equivalent of the monthly amount of such increased educational assistance or supplemental educational assistance payable with respect to the individual at the time of the election.

(8) IRREVOCABILITY OF ELECTIONS.—An election under paragraph (1) or (3)(A) is irrevocable.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on August 1, 2009.

INCREASE IN AMOUNTS OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL

SEC. 3004. (a) EDUCATIONAL ASSISTANCE BASED ON THREE-YEAR PERIOD OF OBLIGATED SERVICE.—Subsection (a)(1) of section 3015 of title 38, United States Code, is amended—

(1) by striking subparagraphs (A) through (C) and inserting the following new subparagraph:

''(A) for months occurring during the period beginning on August 1, 2008, and ending on the last day of fiscal year 2009, $1,321; and''; and

(2) by redesignating subparagraph (D) as subparagraph (B).

(b) EDUCATIONAL ASSISTANCE BASED ON TWO-YEAR PERIOD OF OBLIGATED SERVICE.—Subsection (b)(1) of such section is amended—

(1) by striking subparagraphs (A) through (C) and inserting the following new subparagraph:

''(A) for months occurring during the period beginning on August 1, 2008, and ending on the last day of fiscal year 2009, $1,073; and''; and

(2) by redesignating subparagraph (D) as subparagraph (B).

(c) MODIFICATION OF MECHANISM FOR COST-OF-LIVING ADJUSTMENTS.—Subsection (h)(1) of such section is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) the average cost of undergraduate tuition in the United States, as determined by the National Center for Education Statistics, for the last academic year preceding the beginning of the fiscal year for which the increase is made, exceeds

''(B) the average cost of undergraduate tuition in the United States, as so determined, for the academic year preceding the academic year described in subparagraph (A).''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on August 1, 2008.

(2) NO COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2009.—The adjustment required by subsection (h) of section 3015 of title 38, United States Code (as amended by this section), in rates of basic educational assistance payable under subsections (a) and (b) of such section (as so amended) shall not be made for fiscal year 2009.

MODIFICATION OF AMOUNT AVAILABLE FOR REIMBURSEMENT OF STATE AND LOCAL AGENCIES ADMINISTERING VETERANS EDUCATION BENEFITS

SEC. 3005. Section 3674(a)(4) of title 38, United States Code, is amended by striking ''may not exceed'' and all that follows through the end and inserting ''shall be $19,000,000.''.

TITLE IV—EMERGENCY UNEMPLOYMENT COMPENSATION

FEDERAL-STATE AGREEMENTS

SEC. 4001. (a) IN GENERAL.—Any State which desires to do so may enter into and participate in an agreement under this title with the Secretary of Labor (in this title referred to as the ''Secretary''). Any State which is a party to an agreement under this title may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—Any agreement under subsection (a) shall provide that the State agency of the State will make payments of emergency unemployment compensation to individuals who—

(1) have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before May 1, 2007);

(2) have no rights to regular compensation or extended compensation with respect to a week under such law or any other State unemployment compensation law or to compensation under any other Federal law (except as provided under subsection (e)); and

(3) are not receiving compensation with respect to such week under the unemployment compensation law of Canada.

(c) EXHAUSTION OF BENEFITS.—For purposes of subsection (b)(1), an individual shall be deemed to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because such individual has received all regular compensation available to such individual based on employment or wages during such individual's base period; or

(2) such individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(d) WEEKLY BENEFIT AMOUNT, ETC.—For purposes of any agreement under this title—

(1) the amount of emergency unemployment compensation which shall be payable to any individual for any week of total unemployment shall be equal to the amount of the regular compensation (including dependents' allowances) payable to such individual during such individual's benefit year under the State law for a week of total unemployment;

(2) the terms and conditions of the State law which apply to claims for regular compensation and to the payment thereof shall apply to claims for emergency unemployment compensation and the payment thereof, except where otherwise inconsistent with the provisions of this title or with the regulations or operating instructions of the Secretary promulgated to carry out this title; and

(3) the maximum amount of emergency unemployment compensation payable to any individual for whom an emergency unemployment compensation account is established under section 4002 shall not exceed the amount established in such account for such individual.

(e) ELECTION BY STATES.—Notwithstanding any other provision of Federal law (and if State law permits), the Governor of a State that is in an extended benefit period may provide for the payment of emergency unemployment compensation prior to extended compensation to individuals who otherwise meet the requirements of this section.

EMERGENCY UNEMPLOYMENT COMPENSATION ACCOUNT

SEC. 4002. (a) IN GENERAL.—Any agreement under this title shall provide that the State will establish, for each eligible individual who files an application for emergency unemployment compensation, an emergency unemployment compensation account with respect to such individual's benefit year.

(b) AMOUNT IN ACCOUNT.—

(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to the lesser of—

(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under such law, or

(B) 13 times the individual's average weekly benefit amount for the benefit year.

(2) WEEKLY BENEFIT AMOUNT.—For purposes of this subsection, an individual's weekly benefit amount for any week is the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for such week for total unemployment.

(c) SPECIAL RULE.—

(1) IN GENERAL.—Notwithstanding any other provision of this section, if, at the time that the individual's account is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), then, such account shall be augmented by an amount equal to the amount originally established in such account (as determined under subsection (b)(1)).

(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

(A) such a period is then in effect for such State under the Federal-State Extended Unemployment Compensation Act of 1970;

(B) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

(i) were applied by substituting ''4'' for ''5'' each place it appears; and

(ii) did not include the requirement under paragraph (1)(A); or

(C) such a period would then be in effect for such State under such Act if—

(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

(ii) such section 203(f)—

(I) were applied by substituting ''6.0'' for ''6.5'' in paragraph (1)(A)(i); and

(II) did not include the requirement under paragraph (1)(A)(ii).

PAYMENTS TO STATES HAVING AGREEMENTS FOR THE PAYMENT OF EMERGENCY UNEMPLOYMENT COMPENSATION

SEC. 4003. (a) GENERAL RULE.—There shall be paid to each State that has entered into an agreement under this title an amount equal to 100 percent of the emergency unemployment compensation paid to individuals by the State pursuant to such agreement.

(b) TREATMENT OF REIMBURSABLE COMPENSATION.—No payment shall be made to any State under this section in respect of any compensation to the extent the State is entitled to reimbursement in respect of such compensation under the provisions of any Federal law other than this title or chapter 85 of title 5, United States Code. A State shall not be entitled to any reimbursement under such chapter 85 in respect of any compensation to the extent the State is entitled to reimbursement under this title in respect of such compensation.

(c) DETERMINATION OF AMOUNT.—Sums payable to any State by reason of such State having an agreement under this title shall be payable, either in advance or by way of reimbursement (as may be determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

FINANCING PROVISIONS

SEC. 4004. (a) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 905(a) of the Social Security Act (42 U.S.C. 1105(a)) of the Unemployment Trust Fund (as established by section 904(a) of such Act (42 U.S.C. 1104(a)) shall be used for the making of payments to States having agreements entered into under this title.

(b) CERTIFICATION.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this title. The Secretary of the Treasury, prior to audit or settlement by the Government Accountability Office, shall make payments to the State in accordance with such certification, by transfers from the extended unemployment compensation account (as so established) to the account of such State in the Unemployment Trust Fund (as so established).

(c) ASSISTANCE TO STATES.—There are appropriated out of the employment security administration account (as established by section 901(a) of the Social Security Act (42 U.S.C. 1101(a)) of the Unemployment Trust Fund, without fiscal year limitation, such funds as may be necessary for purposes of assisting States (as provided in title III of the Social Security Act (42 U.S.C. 501 et seq.)) in meeting the costs of administration of agreements under this title.

(d) APPROPRIATIONS FOR CERTAIN PAYMENTS.—There are appropriated from the general fund of the Treasury, without fiscal year limitation, to the extended unemployment compensation account (as so established) of the Unemployment Trust Fund (as so established) such sums as the Secretary estimates to be necessary to make the payments under this section in respect of—

(1) compensation payable under chapter 85 of title 5, United States Code; and

(2) compensation payable on the basis of services to which section 3309(a)(1) of the Internal Revenue Code of 1986 applies.

Amounts appropriated pursuant to the preceding sentence shall not be required to be repaid.

FRAUD AND OVERPAYMENTS

SEC. 4005. (a) IN GENERAL.—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received an amount of emergency unemployment compensation under this title to which such individual was not entitled, such individual—

(1) shall be ineligible for further emergency unemployment compensation under this title in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation; and

(2) shall be subject to prosecution under section 1001 of title 18, United States Code.

(b) REPAYMENT.—In the case of individuals who have received amounts of emergency unemployment compensation under this title to which they were not entitled, the State shall require such individuals to repay the amounts of such emergency unemployment compensation to the State agency, except that the State agency may waive such repayment if it determines that—

(1) the payment of such emergency unemployment compensation was without fault on the part of any such individual; and

(2) such repayment would be contrary to equity and good conscience.

(c) RECOVERY BY STATE AGENCY.—

(1) IN GENERAL.—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any emergency unemployment compensation payable to such individual under this title or from any unemployment compensation payable to such individual under any State or Federal unemployment compensation law administered by the State agency or under any other State or Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individuals received the payment of the emergency unemployment compensation to which they were not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(2) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(d) REVIEW.—Any determination by a State agency under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

DEFINITIONS

SEC. 4006. In this title, the terms ''compensation'', ''regular compensation'', ''extended compensation'', ''benefit year'', ''base period'', ''State'', ''State agency'', ''State law'', and ''week'' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

APPLICABILITY

SEC. 4007. (a) IN GENERAL.—Except as provided in subsection (b), an agreement entered into under this title shall apply to weeks of unemployment—

(1) beginning after the date on which such agreement is entered into; and

(2) ending on or before March 31, 2009.

(b) TRANSITION FOR AMOUNT REMAINING IN ACCOUNT.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), in the case of an individual who has amounts remaining in an account established under section 4002 as of the last day of the last week (as determined in accordance with the applicable State law) ending on or before March 31, 2009, emergency unemployment compensation shall continue to be payable to such individual from such amounts for any week beginning after such last day for which the individual meets the eligibility requirements of this title.

(2) LIMIT ON AUGMENTATION.—If the account of an individual is exhausted after the last day of such last week (as so determined), then section 4002(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual's State is in an extended benefit period (as determined under paragraph (2) of such section).

(3) LIMIT ON COMPENSATION.—No compensation shall be payable by reason of paragraph (1) for any week beginning after June 30, 2009.

TITLE V—MEDICAID PROVISIONS

SEC. 5001. (a) MORATORIA ON CERTAIN MEDICAID REGULATIONS.—

(1) EXTENSION OF CERTAIN MORATORIA IN PUBLIC LAW 110–28.—Section 7002(a)(1) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) is amended—

(A) by striking ''prior to the date that is 1 year after the date of enactment of this Act'' and inserting ''prior to April 1, 2009'';

(B) in subparagraph (A), by inserting after ''Federal Regulations)'' the following: ''or in the final regulation, relating to such parts, published on May 29, 2007 (72 Federal Register 29748)''; and

(C) in subparagraph (C), by inserting before the period at the end the following: '', including the proposed regulation published on May 23, 2007 (72 Federal Register 28930)''.

(2) EXTENSION OF CERTAIN MORATORIA IN PUBLIC LAW 110–173.—Section 206 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173) is amended—

(A) by striking ''June 30, 2008'' and inserting ''April 1, 2009'';

(B) by inserting '', including the proposed regulation published on August 13, 2007 (72 Federal Register 45201),'' after ''rehabilitation services''; and

(C) by inserting '', including the final regulation published on December 28, 2007 (72 Federal Register 73635),'' after ''school-based transportation''.

(3) ADDITIONAL MORATORIA.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not, prior to April 1, 2009, take any action (through promulgation of regulation, issuance of regulatory guidance, use of Federal payment

audit procedures, or other administrative action, policy, or practice, including a Medical Assistance Manual transmittal or letter to State Medicaid directors) to impose any restrictions relating to a provision described in subparagraph (B), (C), or (D) if such restrictions are more restrictive in any aspect than those applied to the respective provision as of the date specified in subparagraph (E) for such provision.

(B) PORTION OF INTERIM FINAL REGULATION RELATING TO MEDICAID TREATMENT OF OPTIONAL CASE MANAGEMENT SERVICES.—

(i) IN GENERAL.—Subject to clause (ii), the provision described in this subparagraph is the interim final regulation relating to optional State plan case management services under the Medicaid program published on December 4, 2007 (72 Federal Register 68077) in its entirety.

(ii) EXCEPTION.—The provision described in this subparagraph does not include the portion of such regulation as relates directly to implementing section 1915(g)(2)(A)(ii) of the Social Security Act, as amended by section 6052 of the Deficit Reduction Act of 2005 (Public Law 109–171), through the definition of case management services and targeted case management services contained in proposed section 440.169 of title 42, Code of Federal Regulations, but only to the extent that such portion is not more restrictive than the policies set forth in the Dear State Medicaid Director letter on case management issued on January 19, 2001 (SMDL #01–013), and with respect to community transition case management, the Dear State Medicaid Director letter issued on July 25, 2000 (Olmstead Update 3).

(C) PROPOSED REGULATION RELATING TO REDEFINITION OF MEDICAID OUTPATIENT HOSPITAL SERVICES.—The provision described in this subparagraph is the proposed regulation relating to clarification of outpatient clinic and hospital facility services definition and upper payment limit under the Medicaid program published on September 28, 2007 (72 Federal Register 55158) in its entirety.

(D) PORTION OF PROPOSED REGULATION RELATING TO MEDICAID ALLOWABLE PROVIDER TAXES.—

(i) IN GENERAL.—Subject to clause (ii), the provision described in this subparagraph is the final regulation relating to health-care-related taxes under the Medicaid program published on February 22, 2008 (73 Federal Register 9685) in its entirety.

(ii) EXCEPTION.—The provision described in this subparagraph does not include the portions of such regulation as relate to the following:

(I) REDUCTION IN THRESHOLD.—The reduction from 6 percent to 5.5 percent in the threshold applied under section 433.68(f)(3)(i) of title 42, Code of Federal Regulations, for determining whether or not there is an indirect guarantee to hold a taxpayer harmless, as required to carry out section 1903(w)(4)(C)(ii) of the Social Security Act, as added by section 403 of the Medicare Improvement and Extension Act of 2006 (division B of Public Law 109–432).

(II) CHANGE IN DEFINITION OF MANAGED CARE.—The change in the definition of managed care as proposed in the revision of section 433.56(a)(8) of title 42, Code of Federal Regulations, as required to carry out section 1903(w)(7)(A)(viii) of the Social Security Act, as amended by section 6051 of the Deficit Reduction Act of 2005 (Public Law 109–171).

(E) DATE SPECIFIED.—The date specified in this subparagraph for the provision described in—

(i) subparagraph (B) is December 3, 2007;

(ii) subparagraph (C) is September 27, 2007; or

(iii) subparagraph (D) is February 21, 2008.

(b) FUNDS TO REDUCE MEDICAID FRAUD AND ABUSE.—

(1) IN GENERAL.—For purposes of reducing fraud and abuse in the Medicaid program under title XIX of the Social Security Act—

(A) there is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, $25,000,000, for fiscal year 2009; and

(B) there is authorized to be appropriated to the Secretary $25,000,000 for fiscal year 2010 and each subsequent fiscal year.

Amounts appropriated under this section shall remain available for expenditure until expended and shall be in addition to any other amounts appropriated or made available to the Secretary for such purposes with respect to the Medicaid program.

(2) ANNUAL REPORT.—Not later than September 30 of 2009 and of each subsequent year, the Secretary of Health and Human Services shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on the activities (and the results of such activities) funded under paragraph (1) to reduce waste, fraud, and abuse in the Medicaid program under title XIX of the Social Security Act during the previous 12 month period, including the amount of funds appropriated under such paragraph for each such activity and an estimate of the savings to the Medicaid program resulting from each such activity.

(c) STUDY AND REPORTS TO CONGRESS.—

(1) SECRETARIAL REPORT IDENTIFYING PROBLEMS.—Not later than July 1, 2008, the Secretary of Health and Human Services shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report that—

(A) outlines the specific problems the Medicaid regulations referred to in the amendments made by paragraphs (1) and (2) of subsection (a) and in the provisions described in subparagraph (B) through (D) of paragraph (3) of such subsection were intended to address;

(B) detailing how these regulations were designed to address these specific problems; and

(C) cites the legal authority for such regulations.

(2) INDEPENDENT COMPREHENSIVE STUDY AND REPORT.—

(A) IN GENERAL.—Not later than July 1, 2008, the Secretary of Health and Human Services shall enter into a contract with an independent organization for the purpose of—

(i) producing a comprehensive report on the prevalence of the problems outlined in the report submitted under paragraph (1);

(ii) identifying strategies in existence to address these problems; and

(iii) assessing the impact of each regulation referred to in such paragraph on each State and the District of Columbia.

(B) ADDITIONAL MATTER.—The report under subparagraph (A) shall also include—

(i) an identification of which claims for items and services (including administrative activities) under title XIX of the Social Security Act are not processed through systems described in section 1903(r) of such Act;

(ii) an examination of the reasons why these claims for such items and services are not processed through such systems; and

(iii) recommendations on actions by the Federal government and the States that can make claims for such items and services more accurate and complete consistent with such title.

(C) DEADLINE.—The report under subparagraph (A) shall be submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate not later than March 1, 2009.

(D) COOPERATION OF STATES.—If the Secretary of Health and Human Services determines that a State or the District of Columbia has not cooperated with the independent organization for purposes of the report under this paragraph, the Secretary shall reduce the amount paid to the State or District under section 1903(a) of the Social Security Act (42 U.S.C. 1396b(a)) by $25,000 for each day on which the Secretary determines such State or District has not so cooperated. Such reduction shall be made through a process that permits the State or District to challenge the Secretary's determination.

(3) FUNDING.—

(A) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary without further appropriation, $5,000,000 to carry out this subsection.

(B) AVAILABILITY; AMOUNTS IN ADDITION TO OTHER AMOUNTS APPROPRIATED FOR SUCH ACTIVITIES.—Amounts appropriated pursuant to subparagraph (A) shall—

(i) remain available until expended; and

(ii) be in addition to any other amounts appropriated or made available to the Secretary of Health and Human Services with respect to the Medicaid program.

(d) ASSET VERIFICATION THROUGH ACCESS TO INFORMATION HELD BY FINANCIAL INSTITUTIONS.—

(1) ADDITION OF AUTHORITY.—Title XIX of the Social Security Act is amended by inserting after section 1939 the following new section:

''ASSET VERIFICATION THROUGH ACCESS TO INFORMATION HELD BY FINANCIAL INSTITUTIONS

''SEC. 1940. (a) IMPLEMENTATION.—

''(1) IN GENERAL.—Subject to the provisions of this section, each State shall implement an asset verification program described in subsection (b), for purposes of determining or redetermining the eligibility of an individual for medical assistance under the State plan under this title.

''(2) PLAN SUBMITTAL.—In order to meet the requirement of paragraph (1), each State shall—

''(A) submit not later than a deadline specified by the Secretary consistent with paragraph (3), a State plan amendment under this title that describes how the State intends to implement the asset verification program; and

''(B) provide for implementation of such program for eligibility determinations and redeterminations made on or after 6 months after the deadline established for submittal of such plan amendment.

''(3) PHASE-IN.—

''(A) IN GENERAL.—

''(i) IMPLEMENTATION IN CURRENT ASSET VERIFICATION DEMO STATES.—The Secretary shall require those States specified in subparagraph (C) (to which an asset verification program has been applied before the date of the enactment of this section) to implement an asset verification program under this subsection by the end of fiscal year 2009.

''(ii) IMPLEMENTATION IN OTHER STATES.—The Secretary shall require other States to submit and implement an asset verification program under this subsection in such manner as is designed to result in the application of such programs, in the aggregate for all such other States, to enrollment of approximately, but not less than, the following percentage of enrollees, in the aggregate for all such other States, by the end of the fiscal year involved:

''(I) 12.5 percent by the end of fiscal year 2009.

''(II) 25 percent by the end of fiscal year 2010.

''(III) 50 percent by the end of fiscal year 2011.

''(IV) 75 percent by the end of fiscal year 2012.

''(V) 100 percent by the end of fiscal year 2013.

''(B) CONSIDERATION.—In selecting States under subparagraph (A)(ii), the Secretary shall consult with the States involved and take into account the feasibility of implementing asset verification programs in each such State.

''(C) STATES SPECIFIED.—The States specified in this subparagraph are California, New York, and New Jersey.

''(D) CONSTRUCTION.—Nothing in subparagraph (A)(ii) shall be construed as preventing a State from requesting, and the Secretary approving, the implementation of an asset verification program in advance of the deadline otherwise established under such subparagraph.

''(4) EXEMPTION OF TERRITORIES.—This section shall only apply to the 50 States and the District of Columbia.

''(b) ASSET VERIFICATION PROGRAM.—

''(1) IN GENERAL.—For purposes of this section, an asset verification program means a program described in paragraph (2) under which a State—

''(A) requires each applicant for, or recipient of, medical assistance under the State plan under this title on the basis of being aged, blind, or disabled to provide authorization by such applicant or recipient (and any other person whose resources are material to the determination of the eligibility of the applicant or recipient for such assistance) for the State to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act but at no cost to the applicant or recipient) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to the applicant or recipient (and such other person, as applicable), whenever the State determines the record is needed in connection with a determination with respect to such eligibility for (or the amount or extent of) such medical assistance; and

''(B) uses the authorization provided under subparagraph (A) to verify the financial resources of such applicant or recipient (and such other person, as applicable), in order to determine or redetermine the eligibility of such applicant or recipient for medical assistance under the State plan.

''(2) PROGRAM DESCRIBED.—A program described in this paragraph is a program for verifying individual assets in a manner consistent with the approach used by the Commissioner of Social Security under section 1631(e)(1)(B)(ii).

''(c) DURATION OF AUTHORIZATION.—Notwithstanding section 1104(a)(1) of the Right to Financial Privacy Act, an authorization provided to a State under subsection (b)(1) shall remain effective until the earliest of—

''(1) the rendering of a final adverse decision on the applicant's application for medical assistance under the State's plan under this title;

''(2) the cessation of the recipient's eligibility for such medical assistance; or

''(3) the express revocation by the applicant or recipient (or such other person described in subsection (b)(1), as applicable) of the authorization, in a written notification to the State.

''(d) TREATMENT OF RIGHT TO FINANCIAL PRIVACY ACT REQUIREMENTS.—

''(1) An authorization obtained by the State under subsection (b)(1) shall be considered to meet the requirements of the Right to Financial Privacy Act for purposes of section 1103(a) of such Act, and need not be furnished to the financial institution, notwithstanding section 1104(a) of such Act.

''(2) The certification requirements of section 1103(b) of the Right to Financial Privacy Act shall not apply to requests by the State pursuant to an authorization provided under subsection (b)(1).

''(3) A request by the State pursuant to an authorization provided under subsection (b)(1) is deemed to meet the requirements of section 1104(a)(3) of the Right to Financial Privacy Act and of section 1102 of such Act, relating to a reasonable description of financial records.

''(e) REQUIRED DISCLOSURE.—The State shall inform any person who provides authorization pursuant to subsection (b)(1)(A) of the duration and scope of the authorization.

''(f) REFUSAL OR REVOCATION OF AUTHORIZATION.—If an applicant for, or recipient of, medical assistance under the State plan under this title (or such other person described in subsection (b)(1), as applicable) refuses to provide, or revokes, any authorization made by the applicant or recipient (or such other person, as applicable) under subsection (b)(1)(A) for the State to obtain from any financial institution any financial record, the State may, on that basis, determine that the applicant or recipient is ineligible for medical assistance.

''(g) USE OF CONTRACTOR.—For purposes of implementing an asset verification program under this section, a State may select and enter into a contract with a public or private entity meeting such criteria and qualifications as the State determines appropriate, consistent with requirements in regulations relating to general contracting provisions and with section 1903(i)(2). In carrying out activities under such contract, such an entity shall be subject to the same requirements and limitations on use and disclosure of information as would apply if the State were to carry out such activities directly.

''(h) TECHNICAL ASSISTANCE.—The Secretary shall provide States with technical assistance to aid in implementation of an asset verification program under this section.

''(i) REPORTS.—A State implementing an asset verification program under this section shall furnish to the Secretary such reports concerning the program, at such times, in such format, and containing such information as the Secretary determines appropriate.

''(j) TREATMENT OF PROGRAM EXPENSES.—Notwithstanding any other provision of law, reasonable expenses of States in carrying out the program under this section shall be treated, for purposes of section 1903(a), in the same manner as State expenditures specified in paragraph (7) of such section.''.

(2) STATE PLAN REQUIREMENTS.—Section 1902(a) of such Act (42 U.S.C. 1396a(a)) is amended—

(A) in paragraph (69) by striking ''and'' at the end;

(B) in paragraph (70) by striking the period at the end and inserting ''; and''; and

(C) by inserting after paragraph (70), as so amended, the following new paragraph:

''(71) provide that the State will implement an asset verification program as required under section 1940.''.

(3) WITHHOLDING OF FEDERAL MATCHING PAYMENTS FOR NONCOMPLIANT STATES.—Section 1903(i) of such Act (42 U.S.C. 1396b(i)) is amended—

(A) in paragraph (22) by striking ''or'' at the end;

(B) in paragraph (23) by striking the period at the end and inserting ''; or''; and

(C) by adding after paragraph (23) the following new paragraph:

''(24) if a State is required to implement an asset verification program under section 1940 and fails to implement such program in accordance with such section, with respect to amounts expended by such State for medical assistance for individuals subject to asset verification under such section, unless—

''(A) the State demonstrates to the Secretary's satisfaction that the State made a good faith effort to comply;

''(B) not later than 60 days after the date of a finding that the State is in noncompliance, the State submits to the Secretary (and the Secretary approves) a corrective action plan to remedy such noncompliance; and

''(C) not later than 12 months after the date of such submission (and approval), the State fulfills the terms of such corrective action plan.''.

(4) REPEAL.—Section 4 of Public Law 110–90 is repealed.

(e) ADJUSTMENT TO PAQI FUND.—Section 1848(l)(2) of the Social Security Act (42 U.S.C. 1395w-4(l)(2)), as amended by section 101(a)(2) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), is amended—

(1) in subparagraph (A)(i)—

(A) in subclause (III), by striking ''$4,960,000,000'' and inserting ''$3,940,000,000''; and

(B) by adding at the end the following new subclause:

''(IV) For expenditures during 2014, an amount equal to $3,750,000,000.'';

(2) in subparagraph (A)(ii), by adding at the end the following new subclause:

''(IV) 2014.—The amount available for expenditures during 2014 shall only be available for an adjustment to the update of the conversion factor under subsection (d) for that year.''; and

(3) in subparagraph (B)—

(A) in clause (ii), by striking ''and'' at the end;

(B) in clause (iii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(iv) 2014 for payment with respect to physicians' services furnished during 2014.''.

TITLE VI—ACCOUNTABILITY AND TRANSPARENCY IN GOVERNMENT CONTRACTING

CHAPTER 1—CLOSE THE CONTRACTOR FRAUD LOOPHOLE

SHORT TITLE

SEC. 6101. This chapter may be cited as the ''Close the Contractor Fraud Loophole Act''.

REVISION OF THE FEDERAL ACQUISITION REGULATION

SEC. 6102. The Federal Acquisition Regulation shall be amended within 180 days after the date of the enactment of this Act pursuant to FAR Case 2007–006 (as published at 72 Fed Reg. 64019, November 14, 2007) or any follow-on FAR case to include provisions that require timely notification by Federal contractors of violations of Federal criminal law or overpayments in connection with the award or performance of covered contracts or subcontracts, including those performed outside the United States and those for commercial items.

DEFINITION

SEC. 6103. In this chapter, the term ''covered contract'' means any contract in an amount greater than $5,000,000 and more than 120 days in duration.

CHAPTER 2—GOVERNMENT FUNDING TRANSPARENCY

SHORT TITLE

SEC. 6201. This chapter may be cited as the ''Government Funding Transparency Act of 2008''.

FINANCIAL DISCLOSURE REQUIREMENTS FOR CERTAIN RECIPIENTS OF FEDERAL AWARDS

SEC. 6202. (a) DISCLOSURE REQUIREMENTS.—Section 2(b)(1) of the Federal Funding Accountability and Transparency Act (Public Law 109–282; 31 U.S.C. 6101 note) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following new subparagraph:

''(F) the names and total compensation of the five most highly compensated officers of the entity if—

''(i) the entity in the preceding fiscal year received—

''(I) 80 percent or more of its annual gross revenues in Federal awards; and

''(II) $25,000,000 or more in annual gross revenues from Federal awards; and

''(ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.''.

(b) REGULATIONS REQUIRED.—The Director of the Office of Management and Budget shall promulgate regulations to implement the amendment made by this chapter. Such regulations shall include a definition of ''total compensation'' that is consistent with regulations of the Securities and Exchange Commission at section 402 of part 229 of title 17 of the Code of Federal Regulations (or any subsequent regulation).

TITLE VII—GI BILL FINANCING PROVISION

GI BILL FINANCING PROVISION

SEC. 7001. (a) IN GENERAL.—Part I of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 1 the following new section:

''SEC. 1A. INCREASE IN TAX ON HIGH INCOME INDIVIDUALS TO FINANCE THE GI BILL.

''(a) GENERAL RULE.—In the case of a taxpayer other than a corporation, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to 0.47 percent of so much of modified adjusted gross income as exceeds $500,000 ($1,000,000 in the case of a joint return or a surviving spouse (as defined in section 2(a)).

''(b) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this section, the term 'modified adjusted gross income' means adjusted gross income reduced by any deduction allowed for investment interest (as defined in section 163(d)). In the case of an estate or trust, a rule similar to the rule of section 67(e) shall apply for purposes of determining adjusted gross income for purposes of this section.

''(c) NONRESIDENT ALIEN.—In the case of a nonresident alien individual, only amounts taken into account in connection with the tax imposed by section 871(b) shall be taken into account under this section.

''(d) MARITAL STATUS.—For purposes of this section, marital status shall be determined under section 7703.

''(e) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of sections for part I of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 1 the following new item:

''Sec. 1A. Increase in tax on high income individuals to finance the GI bill.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

(d) SECTION 15 NOT TO APPLY.—The amendment made by subsection (a) shall not be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

TITLE VIII—GENERAL PROVISIONS

AVAILABILITY OF FUNDS

SEC. 8001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

EMERGENCY DESIGNATION

SEC. 8002. Each amount in each title of this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

SHORT TITLE

SEC. 8003. This Act may be cited as the ''Supplemental Appropriations Act, 2008''.

POINT OF ORDER

Mr. RYAN of Wisconsin. Mr. Speaker, I make a point of order against consideration of the measure.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. RYAN of Wisconsin. Mr. Speaker, I make a point of order that the measure causes an increase in the deficit over a 6- and 11-year period and therefore violates clause 10 of House rule XXI, the PAYGO point of order.

Mr. Speaker, there is undeniably net direct spending included in this bill. Hence it increases the deficit. Simply by putting new entitlement spending on an appropriation bill in order to evade PAYGO would constitute a blatant loophole in the PAYGO point of order. If PAYGO is designed to prevent increases in the deficit, this measure should not be considered here today.

I therefore urge that my point of order be sustained.

The SPEAKER pro tempore. Does any other Member wish to be heard?

Mr. OBEY. Mr. Speaker, the gentleman may be reciting the PAYGO rule as he wishes it were, but that's not the way it is.

The legislation before the House fully complies with the PAYGO rule. That rule deals with direct spending and revenues.

As to revenues, the revenue effects of this package reduce the deficit, rather than increasing it. As to spending, none of the spending in this package falls into the direct spending category, which is basically defined as spending outside the appropriations process.

Even though not technically required to do so, the Medicaid provisions and the expansion of veterans' education benefits fully meet the PAYGO standard. Both sets of provisions contain offsets to ensure that they do not increase the deficit over the 5- and 10-year periods used by the PAYGO rule.

The rest of the bill consists mostly of emergency appropriations for defense and other security-related needs, largely for things requested by the President. And the other major spending item, relating to extended unemployment compensation benefits, is temporary in nature and responds to current hardships created by the economic downturn.

So I believe that we ought to abide by the House rules as they are, not as some Members wish they were.

The SPEAKER pro tempore. The gentleman from Wisconsin makes a point of order that the motion violates clause 10 of rule XXI by increasing a deficit.

Clause 10 of rule XXI provides a point of order against a measure if the provisions of such measure affecting direct spending or revenues have the net effect of increasing a deficit or reducing a surplus. Clause 10 of rule XXI further provides that the effect of the measure on the deficit or surplus is determined by the Committee on the Budget relative to certain estimates supplied by the Congressional Budget Office.

The gentleman from Wisconsin has asserted that the motion contains direct spending that causes an increase in a deficit. As a threshold matter, the Chair must determine if provisions in the measure affect ''direct spending.''

In reviewing the text of clause 10 of rule XXI, the Chair finds no definition of the term ''direct spending.'' Because clause 10 of rule XXI is a budget enforcement mechanism, the Chair finds it prudent to look to other budget enforcement schemes for guidance in defining this term. In a review of relevant budget enforcement statutes, the Chair finds a definition of the term ''direct spending'' in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, hereafter section 250. The definition in section 250 provides, in pertinent part, that ''direct spending'' means budget authority provided by law other than appropriation Acts.

The underlying bill, H.R. 2642, is a general appropriation bill. This measure constitutes an ''appropriation Act'' within the meaning of section 250. The motion proposes amendments that would make emergency supplemental appropriations for the fiscal year 2008. Accordingly, the budget authority portended by the motion does not constitute ''direct spending'' for purposes of section 250, and by extension, the Chair finds that the motion does not affect direct spending for purposes of clause 10 of rule XXI.

Pursuant to clause 10 of rule XXI, the Committee on the Budget is required to provide estimates to the Chair on the effect of the measure on the deficit. In consonance with the Chair's findings, the Chair is authoritatively guided by estimates from the Committee on the Budget that the net effect of the provisions of the pending motion affecting revenues and direct spending would not increase a deficit.

Accordingly, the point of order is overruled.

PARLIAMENTARY INQUIRY

Mr. RYAN of Wisconsin. One quick parliamentary inquiry for the purposes of clarification, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. RYAN of Wisconsin. Condensing all of that, is it my understanding, then, that this is not sustained because PAYGO does not apply to direct spending so long as it's in an appropriations bill? Is that correct?

The SPEAKER pro tempore. The Chair's ruling will have to speak for itself in that regard.

Pursuant to House Resolution 1197, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 1 hour.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the pending legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have a tough problem before the House today. We have a war which the majority of this House despises. We have a war that we do not have the power to end so long as the President is as obstreperous as he has been on the subject. That means that we have to find a way to try to manage this problem in a way that sends a clear message to the public that they are the only ones who can, in fact, muster the power to change direction on this war by electing a President who will get us out of this war. It also means we have to manage it in such a way that we set the table for the new President to give him at least a few months to think through how he is going to proceed to extricate us from this war and to get his ducks in a row on Iraqi policy. Therefore, we are taking the Senate bill and we are asking the House to consider three amendments and work their will on it.

The first amendment is very simple. It's an up-or-down vote on providing the funding to pay for the equipment and to pay for the salaries for the troops as long as they are going to be in the war situation. That money will be estimated to run out by June of 2009.

The second amendment would simply be an up-or-down vote on the conditions that the House believes should appropriately be attached to the spending of that money, many of which the House has seen before. Those conditions will, among other things, require that virtually every unit sent to the war be fully combat ready. They will provide that no one who works for the United States may engage in interrogation techniques that are at variance with the Army Field Manual. In plain language, no torture. The conditions will also say that there shall be no long-term security agreements entered into with Iraq without submission of those agreements to the United States Senate for their consideration. It will establish a timetable for extricating ourselves from combat by setting a goal, not a firm date but a goal, of 18 months from the date of enactment.

Also, we have added two conditions which would have the effect of requiring Iraq to provide a dollar-for-dollar match for any of the redevelopment and reconstruction activities that are being carried out by the United States Government. The effect of that would be the functional equivalent of turning 50 percent of what we provide to Iraq into loans. We've done it this way because we have faith that the loans would ever be repaid, and this way we guarantee that the Iraqis, who are now about to develop very large surpluses in their own budget—they will have to meet these costs up front on an equal basis before the United States proceeds to expend its own money. And it would also require that the American military be provided gasoline in Iraq at the same subsidized price as the Iraqis are being subsidized. We don't see why the United States troops who are defending that country ought to have to pay a premium.

Then we will have a third amendment, again up or down, on the other administration requests. Those include food aid. We've increased the international food aid recommended by the President by $745 million. Anybody who has read the newspapers or watched television for the last 2 weeks understands why that is a moral necessity. We have also included the administration request for the Louisiana levies exactly as they have requested it as fiscal 2009 money. We have responded to a request from the Bureau of Prisons to provide $178 million so that they do not have to lay off prison guards and other personnel in the U.S. prison system. The Secretary of Commerce has requested that we provide additional funding because they run into technology problems at the U.S. Census Bureau; so we have responded to that with a $210 million appropriation. We have also added $2.2 billion in military construction funds above the President's request to fully fund the administration's 2008 BRAC requests. We have also included $210 million for military child care centers, which the President from that rostrum told the country he was for but neglected to ask the money for in his budget this year.

There are no Members' projects whatsoever in this bill. In the military construction portion of the bill, for instance, there are 121 facilities that are provided for; 111 of those were specifically asked for by the White House, and the others were identified by the committee as top service priorities after testimony from the military services.

There's only one proposal that could be really considered a specific project earmark, and that is one hospital which the Assistant Secretary of Defense asked to be included in the recommendations, and we're providing planning funds for that facility.

In addition, the other items in that third amendment to be considered would deal with the following:

If we're going to fight the war, we happen to believe that we ought to provide a ''thank you'' to the people who have fought it, especially because there has been no sense of shared sacrifice in this country. The only people who have been asked to sacrifice are military families again and again and again. So what we are doing is including the Webb bill, which would provide for the equivalent of a full-boat 4-year education at a public university for persons who have spent 36 months on active duty, and the benefits are scaled down in accordance with time served. It's long past time that we do that.

We have also included emergency funding for unemployment compensation so that for persons who have exhausted their unemployment benefits, they will have an additional 13 weeks available to them.

We have also in this amendment recommended delaying the administration's rules changes in Medicaid that have been so controversial, and we include two contractor reforms which the House had already passed.

The main difference, Mr. Speaker, between this bill and the administration's bill is that we pay for everything in the bill except the unemployment compensation provision and the President pays for virtually none of his requests.

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Now I prefer to pay for the entire war if we are going to have it. I don't think we ought to have it. But if we were going to have it, I thought we ought to pay for the whole thing. So did Mr. MURTHA and Mr. MCGOVERN. So we introduced legislation to pay for the whole war with the war surtax. We lost that argument. That is not in this bill.

I felt that if we weren't going to pay for the war up front, then there should be no requirement to provide an offset to provide the additional GI Bill expanded benefits, which are the equivalent of only about 6 percent of the cost of this war so far. But I lost that argument, too.

And so this bill does pay for the expansion of GI benefits. And it pays for that in probably the best way possible, by asking the most fortunate citizens in our society, those who individually make $500,000 or more a year, or as a couple who make $1 million or more a year, we are asking them to help out in the form of a patriot premium by, in essence, asking them to pay a one-half of 1 percent surtax in order to finance the GI Bill expansion.

As I look at this bill, what we are doing is we are asking people who, on average, have gotten a $126,000 annual tax cut to take a tiny portion of that

tax cut to help us make life better for the persons who have been doing the most in order to preserve the way of life which has enabled those people to do so well in life. And I make no apology for it.

Ninety-nine percent of the appropriated dollars in the bill—99 percent of the appropriated dollars in this bill—are being requested by the administration.

This war, Mr. Speaker, has screwed up our economy. This war has injected chaos in the lives of military families all across the country. We make no apology in trying to use this vehicle to respond to the needs of the two groups in society who have been hit the hardest by this war; one being those who have lost their jobs because of the turmoil we have had in the economy because of the war and other factors, and second, the military families whom we believe ought to be treated about as well as the GIs were when they came back from World War II. This war has now lasted longer than World War II. And we think we have an obligation to respond to what is actually out there on the ground in communities all across the country.

We can debate our political philosophies. We can debate our economic theories. We can behave like little budgeteers, arguing about this comma and that comma, this offset and that offset. But in the end, we are dealing with the lives of human beings. We are dealing with the lives of families. We are dealing with people who have sacrificed incredibly much with their family members being sent to Iraq and Afghanistan once, twice, three times. Kids are not seeing their parents.

I represent a city of 37,000 people. We have had almost 35,000 casualties in this country. It is as if 4,000 people in my hometown were killed, and virtually every other person in that hometown wound up in a VA hospital. That is the human toll that has been paid so far just by Americans on this war.

So this is a process which will give Members the opportunity to vote up or down on the major pieces that comprise this legislation.

And I urge the House to move forward.

I, myself, will be intending to vote against the first amendment. I will be voting for the second and the third amendment. I hope that every Member here today exercises his conscience. That is what they are supposed to do.

With that, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California.

Mr. LEWIS of California. I very much appreciate your recognizing me to respond to my friend, DAVID OBEY.

I am going to speak just a little bit out of order, for two of my colleagues on the floor, DAVID OBEY, the chairman of the committee, and my colleague, Mr. MURTHA, the chairman of the Defense Subcommittee, have shared with me, I thought, over some years, the traditional order of this House. I've seen how the committee system works, especially in the Appropriations Committee, making certain that all Members, Democrats and Republicans, had an opportunity to provide input. And now to have us move so far away from that traditional order by way of this process today is a great disappointment to me.

I can't help but wonder if maybe there is some lack of commitment to regular order that I had never perceived before. For example, my colleague from San Diego, the chairman of the VA Subcommittee, if he had been given an opportunity, could have marked up and had hearings and otherwise on the VA portions some time ago.

This supplemental came from the President well over a year ago. We have had plenty of time to exercise the process in the way that maximizes Members' involvement, remembering that those Members are elected to represent their people at home.

And so the procedure we are going through today has undermined that representative process.

I think many of my colleagues, particularly those who serve with me on the Appropriations Committee, know that I have a great deal of respect for the senior Senator from West Virginia, the chairman of the Senate Appropriations Committee, Senator ROBERT BYRD. While he and I may disagree on issues from time to time, it is fair to say that we both share a deeply held love and respect for this institution.

Senator BYRD also reveres the established traditions and precedents of the committee he leads. He understands that we will only truly know what is in the supplemental if it is exposed to the light of day through the regular order committee process. No one, not even the Senate majority leader, is going to tell Senator BYRD to abdicate his devotion to regular order or his responsibility as chairman of his beloved Appropriations Committee.

Unfortunately, the adherence to regular order has now been completely abandoned on the House side of the Capitol. Both Chairman OBEY and Speaker PELOSI, the sole authors of the House supplemental before us today, have dismissed as ''a nonissue'' those bipartisan voices calling for full committee consideration of this critically important legislation.

In conversations with both Republicans and Democrats in the House, it is widely felt that the Democrat leadership has unfairly and wrongly circumvented the House Appropriations Committee process.

Further, the House majority has chosen to proceed under a closed rule, eliminating any and all amendments on the House floor, and is intent on bypassing a conference committee with the Senate. In effect, the Democrat leadership has eliminated every conceivable opportunity for Republicans and Democrats to represent the views of their own constituents.

I find this sadly ironic, for it was NANCY PELOSI in 2006 who outlined the new Democrat majority's governing philosophy. And I will quote her: ''Bills should come to the House floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute. Bills should be developed following full hearings and open subcommittee markups.''

As the body knows full well, we have had not an open process, let alone full and fair debate. Nor have we had any amendment process. Nor have we had any hearings whatsoever. So, I ask the Speaker, what has changed?

In an October 20, 2006 press release, then-minority leader NANCY PELOSI wrote in a letter to then-Speaker Hastert, ''The voice of every American has a right to be heard. No Member of Congress should be silenced on the floor.''

My colleagues know that I have expressed grave concerns about Speaker PELOSI and Chairman OBEY being the sole authors of this legislation without any input from other Members with considerable expertise in these subject matters. I am not alone in expressing this concern.

Last week, my dear friend and colleague, MARCY KAPTUR, voiced her displeasure with Chairman OBEY and her own leadership. She said, ''Leadership, by keeping the supplemental too close to the vest and not going through a committee markup, has failed to engage the broader membership. It does disenfranchise the voice of people who don't come from leadership locations.''

I just happen to be the ranking member on this full committee. I saw the text and the heart of this proposal only yesterday in the early part of the afternoon. They have had it for months in the works, but have chosen to ignore entirely the minority in this connection. My colleagues know that I have expressed grave concern about this process before.

The House majority leader, STENY HOYER, has said that it is disingenuous for Republicans to speak out over the Iraq war supplemental bypassing the Appropriations Committee process. He suggested that the House Republicans, while in the majority, had engaged in similar practices. This argument would be convenient if it were, in fact, true. However, we all know that facts are stubborn things.

According to the April 29 edition of the Politico, ''There have been about three dozen emergency spending bills in the past 20 years, and a handful has passed without input from the Appropriations Committee, including billions in Hurricane Katrina aid and post-September 11 funds. But none of the Iraq war funding bills has bypassed the appropriations panel in the process.''

Have there been occasions where supplemental spending bills have not been

considered by the full committee? Sure there have. But on those rare instances, such as the aftermath of September 11 and so on, there was bipartisan consensus on the need to act quickly. And we did so by working together.

In no circumstance, to my knowledge, did either the Republican majority or the Democrat minority that preceded it ever deny either the opposition party or even members of its own party a seat at the table in writing such critical legislation.

Yet here we stand today, debating the merits of a bill that only a handful of Members have even seen. Very, very few Members know what is in this legislation.

I ask you, anybody in this room, have any of you, besides DAVID OBEY, had a chance to really read this bill and know what's in it in detail? You're going to be asked to vote on it anyway, regardless of that lack of input.

Members of the House, Republicans and Democrats, deserve to have their voice heard. By the end of the day, not one Member will have an opportunity to offer an amendment or propose any alternative ideas to this body for a vote.

What are Speaker PELOSI and Chairman OBEY afraid of?

This is the fifth time since January 2007 that this majority has brought a supplemental appropriations bill to the House floor under a closed rule, violating the entire tradition of the appropriations process.

In order for the people's voices to be heard, it is fundamental that the representatives' voices are heard. What is happening here is that we are beginning to lay a pattern to destroy the representative process that allows the people to be heard through the people they send here to represent them in the first place.

Speaker PELOSI and Chairman OBEY have effectively said to virtually every Democrat and Republican serving this great body: ''Your voice is irrelevant, and your input is not welcome.'' Again, what are Speaker PELOSI and Chairman OBEY afraid of?

I believe this practice of circumventing our traditional committee process and ignoring the voices of rank and file Members and their constituents is detrimental to the health of the legislative process. It puts in place a process wherein a handful of powerful legislators become ''the Great Deciders'' of what should or should not be included in this almost $250 billion spending bill. This is not the ''House of the Few Great Deciders.'' It is the ''People's House.'' It is the House of Representatives. We fail to recognize this at our great peril.

On May 24, 2002, my friend and my chairman, Mr. OBEY, said, and I quote, ''What a shame, when the legislative process is corrupted to polarize a product that should have been used to forge national unity.''

These words are particularly true today as Chairman OBEY and Speaker PELOSI put partisan interests ahead of the interests of the Members of the House and ahead of the people of this country. We can do better. And ladies and gentlemen, we must do better.

□ 1300

We can do better, and, ladies and gentlemen, we must do better. Vote ''no'' on this package and send it back to where it belongs.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I want to thank the gentleman from California. Those are some of the nicest words he has ever said about me, and I appreciate them deeply.

Let me also say that I think his speech simply bears out that because they can find no real substantive fault with the legislation, they have to fall back on whining about process.

I would suggest that the gentleman from California is the last person I will take lectures from when it comes to talking about an open appropriations process. I was not chairman when the Appropriations Committee when, after the conference was closed and the work was done and the names are on the conference report, I was not the chairman of the committee who allowed 30 pages of unrelated new language not seen by anybody to be inserted in that conference report which insulated the pharmaceutical industry from suit if their products damaged their customers.

I was not the chairman of the committee when the committee, after the conference was closed, and after it was finished, inserted anonymously, anonymously, in the dead of night, language which changed the definition of organic foods on the agriculture bill and led to nicely enriched profits for certain people in this society.

All I can say is that the gentleman may not like the fact that we couldn't finish discussions as fast as we wanted to on this bill. He says he has only been able to see the text for the last day or so. Let me simply suggest that at least the text he reads is the text that will be in the bill after we vote on the bill, which is more than you can say for what happened under his stewardship on several locations.

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

Mr. OBEY. Mr. Speaker, I yield myself 1 additional minute.

Let me simply make the point, there is virtually nothing in this bill that hasn't been around here for months. This is not new material. The President's war request has been around here for months, as the gentleman himself has indicated.

The unemployment compensation provision that we are providing in this bill already passed the House on one occasion. The Webb bill has been around for months, and it has the support, and, in fact, the sponsorship of the majority of the House and wide bipartisan support in the Senate as well.

I would suggest, I think the question is, the Pentagon is saying you've got to get the money to the troops, because they're about to run out of money and won't get paid. Yet our friends on the other side are asking us to follow a process which would have taken a much longer period of time.

You can't have it both ways. This is a fair process.

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

Mr. OBEY. Mr. Speaker, I yield myself another minute.

I am personally opposed to the first amendment which we are presenting to the House. But out of courtesy to the minority, who support it, and out of courtesy to the White House, who supports it, we are allowing that to come to a vote. Our party has not even whipped on that question. We told Members, vote your conscience. I don't see how you could be more fair than that.

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield 5 minutes to my colleague from Florida, BILL YOUNG.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding the time to me, and I am here to comment on the defense part of the package, the request by the administration, the issue of procedure.

Chairman MURTHA was very outgoing and worked together with the minority and me, as the ranking member, in drafting this bill. We have always done that. When I was chairman, we did that. When he was chairman, we did that. The defense part of this bill is a good package. That's amendment No. 1.

As a matter of fact, we actually followed the process, and we went to the subcommittee, and the subcommittee members had a full discussion of the defense part of this bill, and the subcommittee members on both size of the aisle agreed that we had produced a pretty good bill, and it met most of what the administration had asked for.

Then we reported it on to the full committee. That's where the process broke down. The process up to that point, while it was at the subcommittee level, the process worked fine, regular order, just like it was supposed to.

But then all of a sudden the process did break down. I don't know to what extent any other Members might have been involved, but this Member, as the ranking member on the subcommittee, was not involved.

There were subsequent meetings, despite the fact it hadn't gone to the full committee, it hadn't gone to the floor of the House so that the Members could express their interest, either by amendment or by debate. There was a meeting between the leadership in the House and the Senate on the defense

package where it was actually conferenced, a conference agreement was reached. There was no conference, but a conference agreement was reached, and that is my understanding of what is in this bill today.

As Mr. LEWIS has said, we just got the actual language of what is in this package last night. So it does take a little time to read all of these bills and to understand.

But I think the defense part of it, there may have been an additional change after that preconference conference, or whatever it was, I don't know that. That might have happened.

But I support amendment No. 1, and I believe that we have done a good job in providing for our troops.

The largest portions of amendment No. 1 will deal with pay, military personnel costs, what it takes to maintain the lives of our members of the military and their families. The other very large part of this package is operations and maintenance, something that is essential to keep the military going.

So I support this package, but I really am concerned about the process as well. I like the package, but there may be some Members on this side of the aisle or on that side of the aisle who would like to see some changes, who would like to have an opportunity to debate what is included in that package, who might want to offer an amendment that could be productive, that may be something we would all support.

But we all know, because the opportunity to do that just isn't there. It is a little strange place.

My friend—and I think everyone knows that Mr. OBEY and I are friends, and that we have a strong respect for each other, and we have worked very well together in our respective positions—but he mentioned early on that we moved very quickly after September 11, 2001, after the attacks on the World Trade Center, and the airplane that flew into the Pentagon, and the airplane that flew into the ground in Pennsylvania in Mr. MURTHA's district that very likely was directed at this United States Capitol, where the Defense Subcommittee was in session working on the Defense appropriations bill. But we didn't know what was happening there. We didn't know what was next.

If you recall, all of the airplanes flying in and around the United States were grounded because we didn't know if additional airplanes had been hijacked, we just didn't know the extent of the attack that we were experiencing, the terrible, vicious terrorist attack against an innocent Nation. So we did move quickly, and we appropriated $3 billion——

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

Mr. LEWIS of California. Mr. Speaker, I yield the gentleman an additional minute.

Mr. YOUNG of Florida. I thank the gentleman.

So we did move quickly, and on the third day after September 11, we produced a bill. Mr. OBEY and I wrote that bill together, we consulted with each other, we had a couple of disagreements, we worked those out. We had some accountability in the bill.

We then had a meeting with Senators, and on the third day we had worked together, Republicans and Democrats, to produce a bill that sailed through the House, sailed through the Senate, signed by the President. That's the way it was done. The process was not the regular order, but it was a process done in consultation with both parties and any Member that wanted to be included.

While I do support amendment No. 1, I think the process is terrible, I think the process is inexcusable. I cannot support the process, but I think we have a good package on amendment No. 1, which is to pay for the national defense requirements in this supplemental.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA), the chairman of the Defense Appropriations Subcommittee.

Mr. MURTHA. Well, as BILL YOUNG said, we worked together when he was chairman. When JERRY was chairman, we worked together.

The only thing I disagree with, when it comes to the floor, I am not sure I like to hear a lot about amendments. I mean, you know, I like to see it try to work in a hurry.

But, anyway, I am concerned, when I heard the other day the Secretary of Defense say that the United States military must prepare for more fighting, future wars against insurgents and militias, such as in Iraq and Afghanistan, rather than spend money and time preparing for conventional conflicts.

Overemphasizing the Department's focus on training and equipment for counterinsurgency missions appears to be simply a rationalization of a short-term budget decision made in the waning months of this administration. I am worried because we have been saying over and over again, let's look beyond Iraq, let's make sure we get the military back to the position where it should be.

These decisions have left the Armed Forces in a degraded state of readiness. Both of us, when JERRY was chairman, when BILL was chairman, we have tried to increase the amount of money for the military to increase our readiness without the support of the administration in many cases.

They have let the facilities, which directly impact service personnel, quality of life, in disrepair. Every place we have gone we have seen the disrepair. They have left many defense acquisition programs broken or badly damaged.

I sent a letter to the Secretary of Defense saying, Mr. Secretary, we have got some real problems here. We have got to fix these procedures by sending a budget up to it. We have got to stop the supplementals, put it in one budget so we can have some semblance of order when we look at these decisions. These decisions fail to take into account the potential missions the U.S. armed forces must prepare for and may have to undertake in the years ahead.

I find these comments questionable that he has made at a time when not one combat unit in the United States is rated as combat ready. We need a national strategy. We have tried to provide a national strategy to identify both near term and long-term threats to this country. We need a vigorous debate to achieve this strategy, and it hasn't happened since the Cold War.

Now, I hope that in the base bill and this supplemental we are moving in that direction. I hope that's what we are going to be able to accomplish.

Now, we spend more money on intelligence than any other country in the world. Put them all together, and we spend more money. I have got Punxsutawney Phil in my district. Punxsutawney Phil comes out once a year, he sees his shadow, and 50 percent of the time he is right.

Well, I will tell you, I wouldn't say that the intelligence effort that we spend so much money on is any more than that, because so many things have not been right.

I am concerned that if we don't pay attention to what we know, we who have been here a long time, we are not going to be prepared not only to fight a war, but to prevent a war. We can no longer be the world's policeman, and I think all of us understand that.

We need to rebuild our diplomatic alliances, and we need to restore our international credibility. Our military and diplomatic force must include the strengths of our allies. We cannot do it alone.

Now, let me say in this bill we have $3.6 billion for C–17s. We produced 34 C–130s. We went through it with the subcommittee in detail. We had to make some changes because the full committee wanted us to make some changes, $3 billion for medium and heavy trucks. I remember when we went to Saudi Arabia the first time, we asked General Schwarzkopf, what was the biggest shortage, and he said trucks.

We have tried to take care of the things we realize need to be done. We put money in for Humvees and Marine Corps facility maintenance, and we put in for medical maintenance. We transferred money to the military construction committee, and they made the decision where that money should go—and $570 billion—no one in Congress, probably in the history of Congress, paid more attention to medical care for the military than Mr. LEWIS, Mr. YOUNG and myself. We have tried to be in the forefront in making sure that they have what they need in order to take care of the troops.

□ 1315

As a matter of fact, we put money in some years ago for a center to take care of the amputees, and it took them awhile to understand that we were serious about it, but it happened. I am proud to say that is working very effectively.

So what we have done under the Constitution is appropriate the money where we think it will do the most good, and we will continue to do that. This is a good bill, and I hope Members vote for it so we can get the money to the troops that they need.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from New York, JIM WALSH.

Mr. WALSH of New York. Mr. Speaker, I thank my friend from California for yielding me this time.

I have the greatest respect for the gentleman from Wisconsin. He is a good Member of this body. He is my chairman on the full committee. He is the chairman of my subcommittee, and on that subcommittee we work very well together to address the key issues of our country.

However, Mr. Speaker, the bill before the House today is a phony bill for many reasons. The rules have been thrown under the bus. No markup, no conference with the Senate. First and foremost, this product is the product of a couple of people in a body of 435. It does not reflect the best ideas of bipartisan membership of the Appropriations Committee. And when it leaves this Chamber, it will not reflect the best ideas of the 435 Members of this House.

While I often disagree with the chairman of the Appropriations Committee in the Senate, Senator BYRD, at least he stood up for his committee and for the regular order and for the prerogatives of the Appropriations Committee in the Senate.

I have heard over the last several days the assertion that Members of the minority were offered an opportunity to participate. I must have missed it; I don't remember any consultation.

Mr. Speaker, I am embarrassed that the committee on which I am so revered and on which I have been so proud to serve for so many years has been reduced to this phony exercise.

The reality is that the majority knows that this bill is going to be vetoed. Staff representing the Democratic leadership were quoted yesterday in the press as saying: ''Oh, yeah, it will be vetoed. That's the whole part I forgot.''

Quite frankly, Mr. Speaker, there is a time and place for fun, but not here and not now. The Democratic leadership, by virtue of that flippant remark to the press, a remark made quite clearly without regard to the needs of the men and women who risk their lives every day in service to this great Nation seems to me to recognize that they are playing politics with our troops.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. WALSH of New York. If they know this bill will be vetoed, if they know that our troops need food and ammunition and armor and equipment quickly, and if they know that the families of our troops need a paycheck, following a veto strategy seems to be nothing more than phony, political posturing at the expense of the heroes who, with their families, sacrifice to protect our Nation.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished chairman of the Military Construction Subcommittee, the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, this bill honors our troops, our veterans, and their families. I want to thank Chairman OBEY for being a true champion for our Nation's veterans, our troops, and our military families. His leadership and partnership with Speaker PELOSI are why this bill includes an historic 21st Century GI Bill of Rights, to make college education a reality, not a dream, for America's veterans.

Perhaps less noticed, but vitally important to our military troops and their families, we also made a commitment in this bill to significantly improve health care and daycare for military families, and housing for single servicemen and women. Better housing, health care and daycare are our way of letting those who defend our Nation know that this Congress will respect their service and sacrifice in a meaningful way.

For troops in Iraq and Afghanistan, many of whom are on their second or third tours of duty, this measure provides the essential facilities required to live and fight this war so far away from their homes. It recognizes for force protection projects wherever our troops are located.

For the young men and women just volunteering now for military service, amendment No. 3 also provides $300 million to build much-needed training barracks and other facilities. This barracks initiative will send a clear message to our newest heroes that we deeply respect their decision to serve our Nation.

For the men or women wounded or ill, this amendment provides $1.3 billion to modernize outdated and inefficient military hospitals. Twenty-first century troops and their families deserve better than to be treated in World War II and Korean-era medical facilities. This commitment tells our troops they will have the best care if they are wounded, and even more important to so many of them, that their families will have the best of care while they are gone.

I want to especially thank and salute Chairman MURTHA for his dedicated, strong support for this military health care initiative. All of our military troops deserve his thanks, and should thank him and respect him for his leadership here.

For the families left behind here at home while their loved ones are at combat overseas, this bill provides $200 million to build new child care and youth facilities. Our military spouses and children may not be wearing our Nation's uniform, but they are making sacrifices each and every day, and we should never forget their service to the American family.

To address the housing, training and other facilities needed at military bases that are growing as a result of the 2005 Base Realignment and Closing law, this bill fully funds the administration's BRAC request for the fiscal year 2008.

And let me point out, Mr. Speaker, that individual Member earmarks were neither requested nor considered by our Military Construction and VA Subcommittee. Every project funded was either requested by the administration, the Department of Defense, or funded based on the merit and need for our troops.

Voting ''yes'' on this bill is a vote to honor our troops and our veterans.

Mr. LEWIS of California. Mr. Speaker, it is my pleasure to recognize my colleague from Virginia, FRANK WOLF, for 2 minutes.

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

Mr. WOLF. I had wanted to offer two amendments, one that would have prohibited government officials from attending the genocide Olympics on taxpayer money, and also Members of Congress. And no Member of Congress who speaks out on human rights should go to that Olympics.

Secondly, I wanted to offer an amendment that would create a bipartisan commission, much like the Iraq Study Group, to look at everything, to put everything on the table, all of the spending and tax policies, to get control of our spending and where we are.

We have $54 trillion of unfunded liabilities in this Nation. We have $9 trillion of debt, $1 trillion that the Chinese hold, and the Saudis also hold a large portion, the Saudis who had 15 Wahabbies on those airplanes that went into our buildings.

Standard & Poor's says we will lose our AAA bond rating in 2012, and Moody's says we will lose it in 2018. The value of the dollar is falling like a rock. Gasoline is increasing. Mr. Speaker, what kind of country are we leaving to our children? Are we leaving a country whereby China and Saudi Arabia will be their bankers?

Dietrich Bonhoeffer, the Lutheran pastor who stood up to the Nazis, said, ''The ultimate test of a moral society is the kind of world it leaves to its children.''

This Congress, on both sides of the aisle, Republican and Democratic side, is not leaving a very good situation to their children and their grandchildren. I would ask you as Members of this Congress, as parents and grandparents, what kind of country do you want to

leave? What are you going to tell your kids and your grandkids later on when you say, When I was there, there was $54 trillion of debt, and I did nothing. There was $1 trillion held by the Chinese, who are spying against us, and Mr. MURTHA knows how they are spying against us, we did nothing.

We lost our AAA bond rating, Mom or Dad or Grandma or Grandpa while you were there, did you do anything? And the answer will be: We did nothing.

I rise in opposition to this legislation.

I have been a member of the Appropriations Committee since 1995, yet I cannot recall a time that the House has avoided the Appropriations Committee process with such a critical nationally and internationally important piece of legislation.

Members of the Committee—including the minority—are being shut out of the process.

I wanted to offer an amendment that would prohibit U.S. government employees from attending the Olympics on the taxpayer's dime.

When awarded the honor of hosting the 2008 Summer Olympics, China had the opportunity to show the world that it has changed. But the China of today is worse than the China of yesterday, or of last year, or of the last decade. China is not progressing. It is regressing. It is more violent, more repressive, and more resistant to democratic values than ever before.

China, which jails Catholic bishops, Protestant house church leaders, Tibetan Buddhists, Muslim Uyghurs and Falun Gong practitioners; which is spying against us and supplying weapons to regimes like Khartoum; which has an extensive system of slave labor camps, was awarded the honor of hosting the 2008 summer Olympic games.

We should not reward the Beijing regime with our taxpayer dollars. U.S. officials should not be permitted to use Federal funds to attend the 2008 Olympics. But I am being prevented from offering this amendment because the Democrat leadership has gone around the Appropriations Committee and brought this bill to the floor under a closed rule.

I also wanted to offer an amendment that would create a bipartisan commission—much like the Iraq Study Group—to look at everything—tax policy and entitlement spending—and recommend legislative action to rein in our Federal debt.

We have $53 trillion in unfunded liabilities, and over $9 trillion dollars in debt. Standard and Poor's Investment Service has indicated that we could lose our triple-A bonding rating as early as 2012. The value of the dollar is falling through the floor. China holds our debt. OPEC countries like Saudi Arabia hold our debt. Dietrich Bonhoeffer said, "The ultimate test of a moral society is the kind of world it leaves to its children."

Our grandchildren will bear the burden of out-of-control entitlement spending if we do not act. It's on our watch to fix, and the process being used today shuts out critical issues that we must face.

This House needs to come together and work in a bipartisan manner to address the critical issues facing our country. This legislation today is the product of the heavy hand of the Democrat leadership in foreclosing an open and fair process and I cannot support it.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding.

As many of our student veterans have come to realize, the current Montgomery GI Bill falls far short in meeting the needs of today's college students. The current program is designed as a benefit for peacetime service and was never intended as a wartime benefit.

The 21st Century GI Bill in this bill will give our men and women in uniform who have served multiple tours of duty and extended tours of duty in Iraq and Afghanistan the educational benefits similar to the ones earned in World War II. Our veterans today have served multiple tours of duty. They are getting pulled away from school, their jobs, and their families. The current GI Bill does not honor their service sufficiently. This bill will.

I commend our bipartisan cosponsors, especially my Virginia colleague, JIM WEBB, for writing this bill. This bill will honor the service of our veterans. We need to pass this bill.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong opposition to this legislation, and I thank the gentleman for yielding.

I oppose this legislation on two distinct grounds. On process, the American people should expect more from this Congress. They should expect that when the United States sends our brave men and women into combat, we provide them with the resources to protect themselves and to accomplish their mission, both military and humanitarian, and we do it expeditiously.

In this context, the chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, the Nation's top military officer, has warned all of us and our congressional leaders, and I quote: "The Pentagon is dangerously close to running out of money. We need the supplemental appropriations very badly before the Memorial Day recess. We stop paying soldiers on the 15th of June, and we have precious little flexibility with respect to that."

Should it be a surprise to the majority leadership? Absolutely not. Our troops have been waiting nearly 450 days since the President delivered his request for emergency funds to Congress. Our soldiers need this funding to continue their efforts in the global war on terror.

Yet this is a process that amounts to deliberate brinksmanship. You have waited until the 11th hour before bringing the bill to the floor in an effort to force the President and the Congress to endorse and accept billions of dollars of nonwar, nonemergency spending.

Having said that, Mr. Speaker, on substance, on the funding for Iraq and Afghanistan, this is a solid package and I commend the gentleman, Chairman MURTHA, and the gentleman from Florida (Mr. YOUNG) for their work. However, my colleagues, once again we are being asked to endorse a policy that amounts to retreat from our battles with terrorists in Iraq.

But this bill in the end should not be about binding or nonbinding deadlines for withdraw or how to conduct this war. The critical mass of this bill is about supporting our troops and making sure that all of these volunteers get what they need.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from South Dakota.

Ms. HERSETH SANDLIN. Mr. Speaker, I thank Chairman OBEY for his hard work in putting together this emergency supplemental and overcoming a number of challenges in readying the amendments the House is considering today.

As chairwoman of the Economic Opportunities Subcommittee of the House Veterans' Affairs Committee with jurisdiction over veterans' education benefits, I am proud to support today's efforts to modernize the Montgomery GI Bill. Members of the subcommittee have worked diligently throughout the 110th Congress to understand how best to enhance education benefits and make them easier to access for our Nation's veterans in the 21st century.

My stepbrother, a 3rd Class Petty Officer in the United States Navy, next week deploys to the Persian Gulf on the USS *Ronald Reagan*. He, like so many thousands of brave and dedicated service men and women, stands to benefit from our important vote today, a vote to invest more wisely in these men and women who make the commitment to serve our country and keep us safe, a vote that reflects our priorities as a Nation to recognize their honored service.

I urge my colleagues to support this much-needed improvement in veterans education benefits.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentleman from California.

Mr. Speaker, Washington is broken and it needs to be changed. This bill has been excluded from the normal rules and regulations of the House, and America's Representatives have not had their voices heard or their rights allowed. It would be a totally different bill if we had not violated the House rules and let the committee process work. Washington is broken and we need to have it changed.

□ 1330

For example, if we had committee meetings, we would not have had a tax increase in here. We have a huge tax increase in this bill that affects small business owners. Eighty percent or 83 percent of the taxes here, of the people that are going to be taxed here, are small businessmen.

Now, in Kansas, just like a lot of America, four out five jobs are created by small businesses. And for those of

you that have not been reading the newspaper, our country is in a period of slow growth. This is exactly the time we need to strengthen small businesses, instead of punishing them through this bill. Eighty-three percent of the people punished in this bill are people that are creating jobs.

If we'd had a committee process, we may not have added in other ancillary issues into this idea. Instead, we would have had a clean bill that would address the needs of our young men and women who are faithfully serving this Nation, protecting our families, take the fight to the enemy and helping us keep this country safe.

But, Mr. Speaker, Washington is broken and it needs to be changed. We have avoided the committee process and because of that, there are portions of this bill that could have been improved, portions of it that could have been improved for our veterans that have served so faithfully, come home to us broken, people we need to take care of. But because the committee was not involved in this process, we have not had the ability to improve this care for those who have done so much for us. The reason is, Mr. Speaker, is because Washington is broken and it needs to be changed.

We need to use the committee process. The committee process is a very important part of this. It's been violative of our own House rules. Washington is broken and it needs to be changed.

Mr. OBEY. I yield myself 2 minutes.

Mr. Speaker, I just cannot allow the impression to continue that somehow we have violated House rules or committee rules by this procedure. The fact is that despite some Members having not been around here long enough to remember, the House used to often proceed in this way, moving amendments back and forth between the Senate and the House as a device by which to reach agreement on legislation. That happened routinely during the old abortion debates back in the seventies when amendments offered by Mr. Magnuson and Mr. Flood were bounced back and forth between the Houses.

The fact is also that I offered, and my staff director specifically offered, to have the minority staff participate in every discussion related to appropriation items. We pointed out, we were not drafting, in our committee, the unemployment insurance issues. That was drafted by the authorizing committee. And we were not drafting the language with respect to Medicaid rules. That was done by the Energy and Commerce Committee.

But we offered to have the minority staff participate in all of the staff meetings that were going on with respect to anything over which the Appropriations Committee had direct jurisdiction. If they chose not to exercise that right, that's their responsibility, not ours.

I would also point out that my understanding is that in the 109th and 110th Congress, fully 12 percent of legislation that was passed was passed using this process of moving amendments back and forth between the Senate and the House. So this may be an unusual procedure, but it is far from unprecedented.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Speaker, I thank the gentleman from Wisconsin.

I rise in strong support of amendment No. 2 and amendment No. 3 to the Supplemental Appropriations Act of 2008.

As a member of the Foreign Operations Appropriations Subcommittee, I have fought to include overseas humanitarian assistance in these supplemental appropriations bills. I want to thank Chairman OBEY for including several of these provisions in amendment No. 3 which truly reflect the will and generosity of the American people.

Because of the rising cost and shortage of food, riots and instability have hit Haiti, have hit Egypt and the Philippines. Amendment No. 3 contains a total of $850 million for P.L. 480 Food for Peace Programs, which will be made available as soon as this bill is signed into law.

In Sudan, Chad, Kenya, Somalia and the Democratic Republic of the Congo, thousands of people die each day, not from conflict, but mostly from malnourishment and lack of health care and shelter. Amendment No. 3 includes $200 million for urgent humanitarian disaster assistance, and $300 million for assistance for refugees and internally displaced persons.

These funds are desperately needed, and I strongly urge my colleagues to vote for amendment No. 3.

Mr. LEWIS of California. May I inquire of the Chair how much time is left on each side.

The SPEAKER pro tempore. The gentleman from California has 35½ minutes remaining. The gentleman from Wisconsin has 31 minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, one of the delights of this process, preparing for this bill, has been to go back through the process of the past and look at some of the protestations and expressions of concern by my colleague, now the chairman of the full Appropriations Committee. I love this quote particularly. He says, ''Now this bill is going nowhere. It's going to be vetoed.'' Which bill are we talking about? This one or that one?

The American people know that once again Congress is putting partisan political considerations ahead of the needs of the American people. What we ought to do is to stop these political games and go forward with the regular process.

I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Thank you, Chairman OBEY, for the time.

Today the Congressional Progressive Caucus held an event called ''Winter Soldier.'' We listened to the veterans of the Iraq occupation, and they told us about what it's been like over there and what they've learned. The meeting actually followed in tradition of hearings first held during the Vietnam War. The forum gave veterans who have firsthand experience a chance to tell their stories. It was a solemn, thought-provoking event. What these men and women saw, what they've experienced, is really heartbreaking.

But today we have it in our power, we have it in our power to put an end to the tragedy that is the Iraq war. Today, this Congress will decide if we will give the President a blank check to continue his endless occupation of Iraq, or if we will fund redeployment and reconciliation and if we will do something for the refugees in Iraq.

The American people have been clear in their demands. They want to end the occupation, not extend it. They want us to bring our troops and military contractors home. They want us to reaffirm our commitment to the Iraqi people.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I rise in strong opposition to this continued occupation in Iraq, and I want to thank Chairman OBEY for his leadership and for yielding me this time. I'm so much opposed to giving this President this new funding to continue this occupation with no strings attached until last night, once again, I went to the Rules Committee to propose the Lee amendment, which would provide funding only for the safe, responsible redeployment of our troops and contractors, and also for a strong diplomatic initiative. Not one dime should be spent anymore for funding this combat operation.

We just left a hearing of our Winter Soldiers. These young men and women told us about the dehumanizing effects of what has happened to them in terms of our troops. This has got to stop.

One of their first requests was to ask us not to vote for any more funding, to fund only redeployment and to bring them home.

In honor of our troops, let's bring them home and not send any more money over there to fight this war.

Mr. Speaker, I rise in strong opposition to the continued occupation in Iraq and I want to thank my Chairman, DAVID OBEY for his leadership and for yielding me the time. I am opposed to giving this president $180 billion with no strings attached to continue the disastrous war and occupation in Iraq as amendment No. 1 does.

The war and occupation in Iraq has put our country and economy in a hole. When you are in a hole, you've got to stop digging and climb your way out. Today that means funding the

safe redeployment of our American troops and contractors out of Iraq.

The Lee Amendment I offered at the Rules Committee would have accomplished that but it was not made in order. So I have no choice but to vote against providing more funding for Iraq.

Unlike amendment No. 1, amendment No. 2 contains important restrictions and limitations on funding and would begin redeployment of our troops within 30 days. The second amendment also contains two restrictions and conditions that I have long championed. The first is the prohibition against the establishment of permanent military bases in Iraq. The second condition prohibits the President from unilaterally binding the U.S. to an agreement with the Government of Iraq that includes security assurances for mutual defense.

Finally, I support amendment No. 3 which provides urgent funding for domestic and international priorities, including a new GI bill for our brave veterans, extension of unemployment benefits, funding for peacekeeping operations in Darfur, and urgently needed international food and disaster assistance.

The sad fact is that in the last 5 years this Administration has spent nearly a half trillion dollars on the Iraq war and occupation and we have precious little to show for it. Iraq has been destabilized, our national prestige has been tarnished, and national attention has been diverted from the real and urgent challenges facing the American people.

Over 4,000 American troops and tens of thousands of Iraqis have died, more than 30,000 Americans are wounded, and more than 4 million Iraqis are displaced.

It is far past time to stop the madness.

I urge a "no" vote on amendment No. 1. I urge a "yes" vote on amendment No. 2 and No. 3. We must redeploy and honor our troops by bringing them home.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the minority whip, Mr. BLUNT of Missouri.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for yielding.

This week, we're in the week before we break for our annual Memorial Day work period. Historically, this has been a time when we recognized those who have served and those who are serving, those who are willing to give even their life to help protect the freedom of this country. This is a time-honored tradition in our country.

It's today that we finally come to the floor, after literally months and months of a request for this funding for troops, nearing the deadline where troop withdrawal notices or troop furlough notices and other furlough notices would go out, and we come to the floor with a bill that puts restrictions on the troops. We come to the floor with a bill that does, in fact, finally meet those funding needs of the troops. And we come in a way that doesn't allow us to have any different ideas, have any amendments to these provisions that are brought to us today.

This is an extraordinary procedure in the way we have handled supplementals in the past. The only supplementals that have ever been brought to the floor in the last 20 years, with a closed rule, were supplementals where both sides agreed that we had to immediately respond to an immediate emergency, and it was a bipartisan agreement. There is no bipartisan agreement on the way this bill is brought to the floor. And because of that, it does not meet the needs of the troops as it should. The restrictions are wrong. The time line is wrong. Even the GI benefits that all of us believe need to be updated to meet the needs of today's military, as opposed to yesterday's military, doesn't have transferability of those benefits, the thing that spouses and people in the military and dependents in the military would like. It isn't designed for a military that's a volunteer Army.

There is a better House provision, but are we allowed to offer that House provision? No.

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

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. BLUNT. We get to say yes or no because everybody in this building knows that this bill will never become law. We've waited till the week before Memorial Day to bring a bill to the floor that will not become law. The majority leader announced earlier today that maybe it will be the middle of June before we get to a bill that would actually get to the President's desk and become law, when furlough notices have gone out.

This is a shameful way for us to meet the needs of our troops, and I hope we'll get down to business next week and see if we can't actually pass a bill that will meet the needs of our troops.

Mr. OBEY. I yield 2 minutes to the distinguished majority caucus chairman, the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, I thank my colleagues from Wisconsin and from Pennsylvania.

This is about our eighth war funding supplemental, emergency spending for the war. But what's intriguing about this one is that, in every other war supplemental, we've asked the American taxpayers to give the Iraqis approximately $50 billion to rebuild their country, schools, hospitals, roads, electricity, all so Iraq can rebuild after the war. And this is the first supplemental that we've asked to rebuild America. These kids lives, approximately the same amount of money.

Over the last eight funding bills for the war, we've dedicated approximately $50 billion of American money to rebuild Iraq's schools and roads. We're asking approximately a little over $50 billion to help these kids, our GIs, to rebuild their lives, to get the education that they've earned, to start on a new life for them and their family, whether they be Guard, Reserve or active duty.

So there has been no conscience, no problem when it came to Iraq's roads. They got the money. There was no problem when it came to Iraqi schools and hospitals. We said that was our moral obligation, to help Iraq get back on their feet.

What moral obligation do we have to our own GIs to get back on their feet?

□ 1345

Where is the decency to these kids who we've sent, not once, not twice, some of them three times who signed up to be Guard or Reserve and then we've implemented a stop-loss program that totally changed the contracts?

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. Mr. Speaker, the gentleman is yielded 1 additional minute.

Mr. EMANUEL. We have an obligation to these children to restart their lives.

At the height of 1949, the original GI Bill of Rights for World War II was 1 percent of our GDP. This is far less. And look how well that paid off for this country. Everybody knows somebody who went to school on that GI Bill. We are doing right by those kids who are doing right by us.

You have compared this war with the equivalent of what we've done in World War II. Well, let's make it the equivalent by giving these kids a GI Bill. They've earned it every day doing something that not one of us have done in this context.

And yes, we've asked those who are the most well-off in this country, people we all know, to pay a little so these kids can go to college and pursue their dream that they made possible for us because of their sacrifice. And I know a lot of those people, and they're willing to pay a little more to make sure that these kids have an opportunity for the American Dream.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 1 minute to my colleague from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the gentleman for yielding.

Mr. Speaker, unlike the previous speaker from Illinois, whom I greatly respect, I support the war in Iraq. I have supported it from the beginning. I support providing the resources to our soldiers who are in the fight in Iraq and Afghanistan. I pray for some 3,000 Indiana soldiers who are on the ground in Operation Iraqi Freedom every day. But though I support providing our soldiers with the resources they need to get the job done and come home safe, I cannot support this war supplemental bill.

Mr. Speaker, I believe the American people need to know what is going on here. I mean, this is a backroom deal for $250 billion that includes $72 billion in domestic spending that has nothing whatsoever to do with our soldiers and the war on terror. It also will increase taxes on working families by $51 billion. Higher taxes and higher domestic spending put on the backs of our soldiers is indecent, Mr. Speaker.

When my colleague from Illinois speaks about decency, it is indecent to come to this floor and play politics with our troops during a time of war. This Congress should bring a clean supplemental bill to this floor that provides our soldiers with the resources they need to get the job done and come home safe, not billions of dollars in domestic spending and higher taxes.

I urge my colleagues to vote ''no'' on this legislation to reject playing politics with our troops in the field.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

I cannot believe what I just heard.

The gentleman just indicated that somehow we're adding $72 billion to a bill ''that has nothing whatsoever to do with the welfare of soldiers.'' I would point out by far the largest item that we are adding to this bill, $51 billion over 10 years, is devoted to help those very same soldiers so that the people who fought, when they come home, get treated the same way that the GIs did at the end of World War II. That isn't on the backs of the soldiers. That's trying to enhance their lives. It's trying to enable Reservists and Guard members and regular forces who have had their lives disrupted, who have gone to Iraq two and three times. We're trying to say, Okay, you can stay home for a while. Get yourself a college education.

The GI Bill paid back this country $7 for every dollar it cost.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. I yield myself 1 additional minute.

The GI Bill paid back to this society $7 for every dollar that it cost. There are unfortunately some people in this House who know the cost of everything and the value of nothing. Fortunately, the people who support this third amendment today will not be among them.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE).

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

Mr. SCALISE. The people of southeast Louisiana have faced tremendous challenges during the last 2½ years. Thousands of people lost their homes due to the failure of Federal levees. However, today we find out that the flood protection that they need is going to be held in jeopardy by a poison pill in the name of a $52 billion tax increase on the backs of small businesses that was thrown into the bill last night with no debate. Our flood protection should not be held hostage to $52 billion in new taxes on the backs of small businesses.

This language clearly will not make it through the legislative process and will only give false hope to a people who deserve much better. Let us go back to work, come up with a solution that we can all agree can pass through the legislative process. I look forward to working with you to achieve that solution.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, when these people say they're going to provide the resources for the war and for the veterans but they're not going to pay for it, what they're really saying is China is going to provide the resources to our veterans; China is going to finance this war because that's what has been going on. They have borrowed more money from foreign sources since George W. Bush took office than all 42 Presidents of the United States before him put together, and they still want to keep borrowing.

And talk about working families, we are asking people who make over $1 million a year to increase their taxes $500 for these veterans to go to college so the veterans will not be subject to future deficits and future matters that may be beyond our control where the program has to be cut.

This is dedicated funding, and it comes from those in this country who have the most to give to the people who gave the most with no arms and no legs. I have seen them and you have seen them at Walter Reed and Bethesda.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. I yield the gentleman 1 additional minute.

Mr. TANNER. And we're going to provide resources? No, we're not going to provide any resources for these veterans unless you vote for this bill. What you're doing is we're going to ask China and Japan to give the resources to our veterans. I think that's a moral outrage.

If we can send more, we can damned sure help them get through college when they get home with one arm and one leg.

Mr. LEWIS of California. Mr. Speaker, I am pleased to recognize for 2 minutes the former chairman of the Veterans' Committee, STEVE BUYER of Indiana.

Mr. BUYER. I thank the gentleman for yielding, and I would like to limit my remarks to the veterans' education benefits that's contained in the amendment.

I don't believe that there is a Member here in the House who opposes improving the GI Bill. What I find objectionable and, Mr. Speaker, I have listened to the lectures by the then-ranking member and now the chairman of Appropriations with regard to process over the years and how conflicted he must feel, the fact that his leadership has directed him to bring a bill to the floor that has not gone through the process and, matter of fact, that there's no bipartisanship in agreement. You had brought bills to the floor before that didn't go through the appropriations process, but you two had agreements.

So you must be incredibly conflicted at the moment because you have given us lectures on process, and now you've thrown all of your lectures out the window.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Mr. BUYER. Mr. Speaker, he's thrown all of them out the window.

What upsets most of us who sit on the Veterans' Affairs Committee is in fact there was a response. Chairwoman HERSETH SANDLIN and Ranking Member JOHN BOOZMAN have a bill. It's called H.R. 5684, and that bill was amended through regular order in the House. And what that bill did was improve the existing GI model, and the entire committee passed it.

Now what has happened, instead of using the bill that came from the Veterans' Affairs Committee, she hijacked that process to bring a bill in the Senate that the House here has never even considered. We've never had any hearings on it. It might be the greatest of bills, but if we're about to do this, Mr. MURTHA and others, for all of our comrades and buddies and pals, we better make sure it's done right.

So in this process, I also know, and I agree with Mr. TANNER's remarks, Mr. Speaker, about paying for.

Now I'm going to vote for this. I'm going to vote for it not because I like the tax provisions. I would have much preferred some offsets. I also recognize the Senate probably aren't going to go with the tax provisions.

But we better be smart about our business here because if this House adopts this bill, we're going to have to be correcting it in conference instead of doing our business like we should have done in the House.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Veterans' Affairs Committee, the gentleman from California (Mr. FILNER).

Mr. FILNER. I hear my colleagues on the other side talking about political games and partisanship and process. The GI Bill of 1944 made the middle class of this Nation. Many of us are here today because of the GI Bill. My dad came back from World War II and was able to get some education, but he bought a house in Levittown, New York, for a couple grand, and we became part of the middle class for the first time in our history.

It's time for a GI Bill for the 21st century, and that's what this supplemental has. It says to our young men and women who are fighting, We're going to pay for the full cost of college for 4 years when you get back; we're going to take care of some of the living expenses if you have a family, and we're going to put the National Guard and Reserve that are doing so much of the fighting in Iraq as eligible for most of the benefits for the GI Bill. That's what we need in the supplemental.

We have a supplemental for the war. We need a supplemental for the warrior. The fact the first year, 2 years of this bill for the GI Bill was paid for, we

spent the same amount in 2 days of the war in Iraq. This is a reasonable amount of money to spend on those who have given us so much.

General Washington said over 220 years ago, The single most important factor in the morale of our fighting troops is a sense of how they're going to be treated when they come home. When they come home, many of them with amputations, many of them with psychological wounds, we want to say we're going to make sure we take care of you, we're going to make sure you get some college education, we're going to make sure that you can take a part of the American dream. That's what we owe our soldiers. That's what we owe our Reserve and National Guard, and that's what this supplemental has.

I don't care. You can talk about partisanship and political games. We're talking about the welfare of these young men and women who have given so much. Let's give them a part of the American Dream.

Mr. LEWIS of California. Mr. Speaker, before I yield to my next speaker, I would yield myself 10 seconds.

The chairman of the committee could have raised this 6 months ago since the bill has been around for a full year, but he chose to use political rhetoric today rather than really carry out his responsibilities.

I yield 1 minute to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Again, it's a travesty that we are on this floor yet again expecting our fighting men and women to carry other spending on their backs while they're trying to preserve our freedom. We've seen it before. There ought to be a clean up-or-down vote: do you support our troops; do you not support our troops.

Now as the ranking member said, Mr. BUYER from Indiana, we all support an increase in GI benefits. But do you want to do it in such a way that the Secretary of Defense and the Commander in Chief says compromises our all-volunteer Army? I am the son, I am the grandson, I am the brother of veterans. I honor these people. But to harm our all-volunteer Army is not the way to do it.

And then we have heard lectures about well, we have to pay for it. Well, why yesterday did this body hand out Federal subsidies to millionaire farmers and then today turn around and try and tax them. A tax on small businesses is the way we're going to pay for this? It's absurd.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. I thank the chairman of the Appropriations Committee and my neighbor over in Wisconsin for all of his work and, of course, Chairman MURTHA for his unending and tireless support of our veterans.

□ 1400

I rise today in strong support of the long overdue modernizations to the GI Bill. The original bill, that you have heard so many talk about, was one of the best pieces of legislation that ever left this floor. It allowed millions to attend college that wouldn't normally have been able to do so. I am, like my father before me is, one of those that stands before you because of that.

I also stand before you in a humble position of being the highest ranking enlisted soldier ever to serve in this body, and the understanding of what these soldiers sacrifice and what our responsibility is should be known by everyone here.

At times of war, we are asking so much, and as Senator DOLE told our committee not more than a year ago, you spent billions putting them in harm's way, you spend the billions getting them out.

We have a moral obligation to provide these veterans benefits when they return. It is also a national security issue to keep faith with our young people to know that, if they choose to sign up to defend their Nation, we will stand with them.

Now I can tell you this. I'm not an attorney like many of my colleagues here. I'm a high school teacher and a 24-year veteran of our military, but I hear people stand here talking about process, talking about legalese, talking about everything like that. Your process when you were in charge, you had 5 years, Mr. Speaker, 5 years to do something about the GI Bill.

Mr. Speaker, our colleagues on the Republican side had those 5 years. They chose to do nothing. They spent their time in enacting tax cuts for the wealthiest Americans. They tell us today this is a tax on small business. They must be doing well in Louisiana and Texas compared to Minnesota because $1 million a year for a family of two is an awful lot of money.

The time to do this is now. We hear all the talk. We hear there's soul searching being done by my Republican colleagues. The only thing you need to do is look in the eyes of those veterans and tell them that you are unwilling to provide the necessary benefit for them to come back and make their lives whole.

This provides for our warriors in the field. It provides for our veterans, and it does it by paying for it, and for that, I encourage all of our colleagues to vote with this.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded to address their remarks through the Chair.

Mr. LEWIS of California. Mr. Speaker, could you give us the time, please, on both sides.

The SPEAKER pro tempore. The gentleman from California has 26¼ minutes remaining. The gentleman from Wisconsin has 19 minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. MCCRERY).

Mr. MCCRERY. Mr. Speaker, I rise in strong opposition to this legislation before us. Besides increasing taxes, this bill would create an untargeted emergency extended unemployment benefits program that would add to the deficit and ultimately increase State payroll taxes.

Moreover, this provision is untargeted, meaning it would pay extended unemployment benefits in all States, regardless of the availability of jobs in those States. Today's national unemployment rate is 5.0 percent. In March, 32 States had unemployment rates below 5 percent. Congress has never created a temporary extended benefits program at such a low unemployment rate. The lowest prior unemployment rate when such a program was created was 5.7 percent. Especially given today's low unemployment rate nationwide, it just doesn't make sense to extend benefits in States where jobs are readily available.

While I do not support the legislation before us on this subject, Republicans know that laid off workers are hurting, especially in States with struggling economies where jobs are hard to find and unemployment rates are high. That is why, during committee consideration of this legislation, I supported targeting extended unemployment benefits so real help would be provided where it is needed most. Unfortunately, that effort was rebuffed in favor of the general untargeted proposal before us today.

This legislation also shows the sham that is PAYGO. The broad extended unemployment program is projected to cost $16 billion over the next 5 years and increase State payroll taxes by $1 billion over that time. And this is likely just the start. The typical temporary program in recent decades lasted about 30 months. If the program started under the legislation before us today follows that path, the ultimate cost will exceed $30 billion.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman an additional 30 seconds.

Mr. MCCRERY. This program will cost about $30 billion if it follows that path.

Yet despite pledges in this House to adhere to the letter and spirit of PAYGO, this bill does neither. Our colleagues' argument is that today's economic conditions constitute an emergency. Only 20 percent of all months since 1970 had a lower unemployment rate than today. So if we're in an emergency now, when won't we be in an emergency? We may as well just have extended unemployment benefits 100 percent Federally paid for forever and ever. It doesn't make sense, and it's very costly.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, Just Imagine! The mortal sin that we're accused of committing on this side of the aisle is believing that we ought to provide some additional economic assistance to people

who have been hit the hardest by economic dislocation and have been unemployed until their benefits have expired and haven't been able to find a job.

It's suggested that we're doing this ''on the backs'' of our fighting men and women who return home. I'd suggest it's just the opposite. When a man or a woman returns home from Iraq, when we find out that in addition to their having their reentry problem, they also, some of them, may have post-trauma stress reaction, they find out in addition to what they have to worry about for themselves, they also have to worry about the fact that their sister or their brother-in-law is now unemployed, adding to the burden on that family.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. I yield myself 30 seconds.

I think those GIs recognize this is supposed to be a seamless society. We're supposed to help take care of the people who are in the most trouble, and I don't apologize for using some of the money that we use for veterans benefits. I don't apologize for getting that money from some of the people in this society who have had the least stress in their lives.

It seems to me that that's what the Judeo-Christian ethic is all about, and we plead fully guilty on this side of the aisle.

Mr. LEWIS of California. Mr. Speaker, I proudly yield 1 minute to my colleague from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman. I just want to make a brief observation here.

We were here yesterday with the farm bill and witnessed the kind of traveling back in time, if you will, to find a baseline to use so that we could comply with PAYGO. So the majority party seems to use PAYGO however it fits their purposes. They will use PAYGO or they will ignore PAYGO or find ways around it by shopping for a baseline that works rather than what the law provides, or they will say we've got to comply with PAYGO today because we need to increase taxes.

So it seems just an observation here that PAYGO is only used as a way not to enforce spending discipline because, if it actually does enforce any discipline, we waive it, but if it's used to increase taxes, then, by golly, we've got to enforce it.

I just don't see how one day can make such a big difference if this wasn't the case.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in support of the Iraq provisions included in amendment No. 2 calling for the responsible redeployment of our troops to begin within 30 days. After voting against this war, I have supported the goal of responsibly redeploying our troops for over 2 years.

And after President Bush and Prime Minister al-Maliki signed a ''Declaration of Principles'' document outlining unprecedented security commitments and assurances to Iraq from the United States, I introduced the Iraq Strategic Agreement Review Act.

So today I want to voice my support for the provision that makes clear, as my bill does, that any security arrangement between the United States and Iraq will not be funded unless it comes in the form of a treaty or is specifically authorized by a law.

As we speak, the administration is negotiating a strategic framework agreement that goes well beyond a typical Status of Forces Agreement, essentially amounting to a treaty. It will need to be ratified by the Iraqi parliament, and it must be ratified by the United States Congress as well.

Mr. Speaker, this issue goes to the heart of our constitutional duties as a Congress and the power to declare war with which we have been entrusted as representatives.

I urge my colleagues to support this provision.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from the Appropriations Committee, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, I think it's important for the American people to understand that throughout the history of this Congress and this Nation that party divisions in time of war have always ended at the water's edge, until today.

Tragically, for this Congress, for this House, for the Appropriations Committee, the Speaker of the House has decided to unilaterally impose on the will of the entire Nation this appropriations bill without the benefit of a hearing, without the benefit of amendments, without the benefit of input not just from the Republican Members, Mr. Speaker, but from the Democrat Members.

It's, I think, a terrible precedent to set for this great committee that I am so proud to be a member of. I know that my colleague, Mr. LEWIS, and my colleague, Chairman OBEY, are both men of good will and good hearts. I know this is, I think, a particularly sad day for the institution and the Nation where 300 million Americans are not given an opportunity to be heard on a question of national security as important as the issue of funding our troops is. Never before in the history of this institution have the entire committees, the Congress been shut out of this process.

On the aftermath of 9/11, when you could stand in front of the Capitol Building and still smell the Pentagon burning, the Congress came together and by unanimous consent agreed to approve a supplemental appropriations bill to help pay for the costs of the war. In a time of emergency with the hurricane damage in New Orleans and across the South, we all came together and agreed to do this.

But this is done unilaterally, without the consent of both sides, in a time of national emergency, and it is a travesty, Mr. Speaker. It contains provisions that have nothing to do with our troops' survival and safety in the field. To burden our troops with pork, with tax increases, with special provisions that have nothing to do with the war, adds to, I think, the obvious misuse of the process, and I urge Members to vote against the pork and support our troops.

Mr. OBEY. I yield myself 30 seconds, and I yield to the gentleman from Texas.

I would like the gentleman from Texas to point out a single piece of Member pork in this bill.

Mr. CULBERSON. Will the gentleman yield?

Mr. OBEY. Yes.

Mr. CULBERSON. Mr. Chairman, there's a number of unnecessary provisions in this bill.

Mr. OBEY. Name one.

Mr. CULBERSON. Well, why are we separating out——

Mr. OBEY. Name one.

Mr. CULBERSON. Why are we——

Mr. OBEY. Can you name one or can't you? The fact is there's not a single piece of Member pork in this bill. You ought to know.

Mr. CULBERSON. Why are we passing provisions in this bill——

The SPEAKER pro tempore. The gentlemen will cease their conversation. The gentleman's time has expired.

All Members are reminded to address their remarks through the Chair.

Mr. OBEY. I yield myself 1 additional minute.

And through the Chair, I would invite the Member to name a specific piece of congressional pork in this bill. He cannot because there is none. He's at least had enough time to read the bill to know that.

The only possible piece of pork in this bill is one which we inserted at the request of the Deputy Secretary of Defense for a military hospital in Guam that came here at the request of the Secretary of Defense's office.

You can find no Member's pork in this package, and you know it as well as I do.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague, Mr. WAMP from Tennessee.

Mr. WAMP. I thank the gentleman for yielding.

I don't want to get into the blame game because the American people are sick and tired of the blame game. I think the truth is, Republicans screwed up running this place, and now Democrats are screwing up running this place. So there's plenty of blame to go around. And they're sick and tired of this process debate because they don't understand how it affects them.

But let me say to the people who are talking process. If the Congress is not going to work together on matters of the military funding at a time of war, the Congress is never going to work together. And that is the underlying problem, and it does affect our lives.

I've got a nephew in Iraq right now. I've got another nephew on his way to Afghanistan and that affects our lives.

I am the ranking member of the Military Construction and Veterans Affairs Subcommittee. I heard my chairman, Mr. EDWARDS, whom I very much respect, go through 3 minutes of excellent reasons why to support this bill, but not one time did he talk about anybody on this side because we didn't have any voice in the process. He didn't compliment anything over here because we were not involved this time around. I think we should be.

And the way that they pay for the extras in this bill are with taxes. We don't want to raise your taxes. And I know that we're spending a lot of money in Iraq, but it's easy for everybody to forget, over half the Democrats in the United States Senate voted to remove Saddam Hussein by force. Almost half the Democrats in the House voted to remove Saddam Hussein by force.

□ 1415

The President of the United States acknowledged just a week ago that he never should have said ''Mission Accomplished,'' and he shouldn't have because it's not. We've got a long way to go.

This is the serious business of freedom, and it needs to be funded without all the extraneous stuff, and frankly, all the tricks associated with getting what they want in addition to what we need. And they're doing it with tax increases, and it's the wrong way. And I'm sorry, I'm not blaming anybody; we just need to do better.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Speaker, the economy has been one of the casualties of the Iraq war. And this administration has consistently refused to be interested in dealing with the problems of the unemployed.

We tried to get this introduced when we had the stimulus package some months ago. The administration didn't want to do anything with the unemployed. Long-term unemployment in this country is up to 17.9 percent. Now, you would think they would care, but they still aren't asking for it.

They have never changed their tune from 1935. They never thought we should have unemployment insurance in the Social Security Act of 1935 because they said if you give people unemployment insurance, they won't want to go to work, they will just want to sit home and get a check. That comes from people who have never been unemployed. That comes from people who don't know anybody who has ever been unemployed. It is simply nonsense.

We need to put the money into the economy. We need to give it to the workers who have lost their jobs through no fault of their own. And this administration still sits there and says, no, we're not going to extend unemployment benefits.

There are 26 weeks in here; 13 for everybody, and 13 weeks for those States that are over 6 percent.

Mr. Speaker, the U.S. economy is one of the casualties of the Iraq war, and passing an extension of unemployment benefits is nothing less than battlefield triage for innocent American workers who have lost their jobs through no fault of their own.

When I first introduced legislation several months ago to extend unemployment benefits, I had hoped the White House would declare a cease fire so that we could act quickly and on a bipartisan basis to help the American people and U.S. economy.

Instead, months went by while the administration pretended the gathering economic storm was nothing to worry about. And matters just kept getting worse.

Long-term unemployment—the percentage of unemployed workers who have not been able to find a job for at least 6 months—now stands at 17.8 percent. That is something to worry about. And act on.

My bipartisan unemployment extension bill will extend benefits in every State for an additional 13 weeks, and in States where the overall unemployment rate exceeds 6 percent, there is another 13-week extension.

We are going to help the American people weather this storm. And at the same time, we're going to lessen the economic blow to the U.S. economy.

We know people spend their unemployment benefits quickly, and we know a dollar in benefits yields $1.73 in positive economic impact as the money ripples through the economy.

Governors, mayors, State legislators, economists, advocates for working families, and the faith community are all asking for this extension of unemployment benefits.

Only those on the far right are opposed.

They say that unemployment benefits keep people from going out and looking for a job, but they are both out of line and out of touch.

Across America the average unemployment benefit is less than $300 a week—below the poverty-level for an American family.

What we're doing today is throwing a lifeline to the American people. Enough damage has already been done to the U.S. economy because of all the money spent on the endless Iraq war.

It's time for Congress to tend to the economic casualties at home.

Vote for extending unemployment benefits because it is a vote for helping the American people.

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, May 1, 2008.

Hon. MAX BAUCUS,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

Hon. CHARLES GRASSLEY,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

Hon. JIM MCCRERY,
Ranking Member, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN BAUCUS, SENATOR GRASSLEY, CHAIRMAN RANGEL AND REPRESENTATIVE MCCRERY: On behalf of the nation's governors, we write to express our support for an extension of unemployment benefits and to request federal assistance for states to serve a growing number of jobless individuals.

In the last month, 36 states experienced an increase in the unemployment rate. The national unemployment rate increased to 5.1 percent in March 2008. Most notable, however, is the significant number of individuals that are unemployed for 27 weeks or longer, thus exhausting all unemployment benefits. Today, approximately 16.7 percent of jobless individuals are experiencing long-term unemployment compared to approximately 11 percent at the beginning of the last recession.

Beginning in 1935, a federal-state partnership was formed to create an unemployment program that would provide a core stabilizing function during economic downturns through short-term income support for jobless individuals, In prior recessions including the economic downturn that began in 2001, Congress and the Administration utilized the program to extend unemployment benefits to jobless individuals.

At the same time, any proposal to extend unemployment benefits must also address the reality that states need additional resources to administer unemployment claims for a larger number of individuals for a longer period of time. This year alone, states may have to administer an average of nearly 400,000 unemployment insurance claims without federal funding. Federal support is needed by state employment and workforce agencies to administer increased initial unemployment claims, to support weekly unemployment benefits, and to provide employment and training services.

Given the current economic indicators and historical precedent, governors believe it is prudent and appropriate for Congress and the Administration to enact a temporary federally funded extension of unemployment insurance benefits and to provide a sufficient increase in funding for states to assist jobless individuals during this period of economic slowdown.

We stand ready to work with you and thank you for your leadership on this issue of national importance.

Sincerely,

DONALD L. CARCIERI,
Governor, Chair, Education, Early Childhood and Workforce Committee.

BRAD HENRY,
Governor, Vice Chair, Education, Early Childhood and Workforce Committee.

NATIONAL CONFERENCE OF STATE LEGISLATURES,
Washington, DC, May 7, 2008.

Re Extension of unemployment compensation benefits.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, U.S. Capitol, Washington, DC.

Hon. JOHN BOEHNER,
Minority Leader, House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER PELOSI AND REPRESENTATIVE BOEHNER: We are writing to express the support of the National Conference of State Legislatures (NCSL) for a temporary extension of unemployment compensation benefits, with adequate funds appropriated for state administrative functions.

Since its inception during the Great Depression, the unemployment compensation

system has provided a temporary income support to workers who lose their jobs. The counter-cyclical partnership between states and the federal government was designed to accumulate and hold significant funds in trust accounts during good economic times and pay out benefits during bad economic times and simultaneously stimulate a stagnant economy.

State legislators are concerned that the percentage of unemployed workers is rising and that state unemployment insurance agencies have experienced reduced funding appropriated by Congress in recent years. Nationally, unemployment insurance claims levels and the exhaustion of benefits rate have been on the rise and states are struggling to respond with less federal administrative funding than previous years, especially those states with high unemployment rates.

In the 2008 legislative session, at least one state had to appropriate general funds to support the administration of the program. These funds should have been appropriated by Congress as part of the FY 2008 appropriations legislation and/or through Reed Act distributions to meet the needs of the program. Economic assumptions did not anticipate the increases in unemployment claims that the Congressional Budget Office now projects as a result of the current economic slowdown.

During the current Congress, several bills were introduced (e.g., S 1871, LIR 2233, HR 3920, HR 5749) to extend benefits or modernize state unemployment systems. We support efforts by Congress to continue on the path to assist jobless individuals during this time of economic downturn. However, it is imperative that Congress continue to collaborate with states to strengthen unemployment systems and enact unemployment insurance legislation that would provide adequate resources for administering the program and supplement, not supplant, current state efforts.

We appreciate your leadership and look forward to working with you on this issue. Should you or your staff have any questions about NCSL's position on this matter, please contact Diana Hinton Noel.

Sincerely,

PHILLIP FRYE,
Representative, North Carolina; Chair, NCSL Labor and Economic Development Committee.

STEVE CONWAY,
Representative, Washington; immediate Past Chair, NCSL Labor and Economic Development Committee.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to Mr. KINGSTON from Georgia.

Mr. KINGSTON. Mr. Speaker, this is an important bill that we're debating today. In fact, it's a bill that has been kind of in the hopper, if you will, for months, and maybe even a year's time right now. This is a bill that the troops very badly need. And that's why it's odd to me that there are so many unrelated amendments to it.

I understand that when the Democrats took over, their promise to the MoveOn.org fringe of their party was that we are going to get the troops out of Iraq. They have not delivered on that. And so what we have here is a little fig leaf debate on getting out of Iraq so that their Get Out of Iraq Caucus can have a political cover story so that when they go home over the Memorial Day recess, they can tell people, yeah, I voted to get out Iraq. But the truth is, there is no delivery here.

That debate alone should be something that we do all day long. It should be at least a week's worth of our time, if not more, the debate on getting out of Iraq and imperiling troops in the way. But no, the Democrat Party will not give that to their group that wants the Get Out of Iraq Caucus. What they want is a little fig leaf amendment to a bill, which they know is going to pass and they're hoping that this is going to cover their politics. That is a sham, and that is a shame. I respect somebody who wants to get out of Iraq now, but they should have a debate on that on a freestanding bill. It should not be an amendment.

Secondly, I want to point out the stuff which Mr. CULBERSON referred to as pork. Mr. OBEY took exception to that. And I'd say this stuff isn't pork, but it isn't an emergency. It isn't stuff you put on the backs of our troops in the field.

I don't know how much money we spent in New Orleans, I would like to know. I think we, as Republicans, spent too much. I think you guys, as Democrats, are spending too much. I understand there is $5.8 billion for levees in New Orleans. Now, Mr. Speaker, as I recall, that did not happen recently.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman an additional minute.

Mr. KINGSTON. There is money in here for the census. And I learned in eighth grade geography we do a census every 10 years. Why should that be put on an emergency bill? We know that the end of the decade comes. That funding should be done on an appropriate freestanding manner.

The Bureau of Prisons? Why are we passing that on the backs of soldiers? Contractor language. And I'm a former member of military construction and I represent four military installations. MILCON is very important to me. But why is it put on the back of a supplemental emergency bill? That is not what we do here. It should go through the regular appropriations process. It should go through a subcommittee. It should through a full committee before it comes to the House floor. It should not be an amendment that is put on a troop's bill.

I think that if we look back in history at the way that we were sticking it to, if you will, the minority party when we were in the majority, I think you guys have a very good case for that. In fact, I respect Mr. OBEY. I have a page full of quotes from him.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute to answer the gentleman's question.

The gentleman wants to know why do we have money in this bill for the census? Simple. It's because the Secretary of Commerce asked us to put it in because they've had a huge technical screw-up in the Department of the Census. The last time I looked, the Secretary of Commerce was appointed by the President of the United States, Mr. George W. Bush.

He wants to know why we have money in this bill for prisons. Simple. We've been told by the Bureau of Prisons—last time I looked, it's run by the Bush Administration—that if we didn't provide this money, because of cost overruns they're going to have to fire guards and lay off people in Federal prisons. Anybody interested in law and order I don't think is going to be happy about that.

So it seems to me it is responsible to respond to emergencies on both the domestic side and on the international side.

I'm sorry that the gentleman doesn't seem to be aware of the fact that we have, in writing, requests from both of those agencies, but that happens to be the fact. And that's the answer.

Mr. LEWIS of California. Mr. Speaker, in the interest of keeping this wonderful dialogue going on, I yield the gentleman from Georgia 1 additional minute.

Mr. KINGSTON. I'm touched with the bipartisan support of the Democrat Party that suddenly when the Bush administration asks for something, it's like that, they get it. I'm really impressed with that.

Did you get a formal letter from OMB on the census? Because we haven't seen it on the minority side.

Mr. OBEY. We got requests in writing from the agencies.

Mr. KINGSTON. Well, we haven't seen it from OMB on our side, so I just want to point that out.

Mr. OBEY. They testified before the committees. I don't know if you were there or not, but they testified.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Mr. KINGSTON. Mr. Speaker, what I would say is that these things may or may not be legitimate expenditures, but if they went through a subcommittee and a full committee and they're on a freestanding piece of legislation, that is the proper process of Congress. And when the Democrat Party was in the minority, the distinguished chairman of the Appropriations Committee was one of the biggest proponents of regular order. What we are asking for is regular order. I agree, we did it wrong, but you don't have to repeat that.

Mr. OBEY. I yield myself 10 seconds.

Once again, when they can't argue about the substance, they whine about process. That's not going to impress very many people. It certainly didn't in Mississippi yesterday.

With that, I would like to yield 1 minute to the distinguished Speaker of

the House, the gentlewoman from California.

Ms. PELOSI. I thank the gentleman for yielding. And I want to commend you, Chairman OBEY, and Mr. MURTHA, for your tireless work on behalf of our men and women in uniform, and for bringing this critical legislation to the floor today. I am particularly interested in part two and three of the resolution.

We're all grateful for the fact that this will be the last time we will vote on an Iraq supplemental in the House of Representatives. Again, I thank the chairman and the chairman for their important work in this regard.

When the House completes its work today, we will have achieved three goals. First, we will have set a new direction in Iraq that will end this sad chapter in American history and bring our brave men and women home. That is necessary because President Bush, in his request to the Congress, insists on his failed course of action in Iraq, failed from day one; day one, when they went in and thought the war would end in one day.

They're asking us to trust the same impaired judgment that took us into this war on a false premise, without the proper training and equipment for our troops, without a strategy for success or an exit strategy from Iraq.

Isn't it sad that here we are, over 5 years later, over 4,000 of our precious treasure have died, tens of thousands of our men and women in uniform have been wounded, many of them permanently. Our reputation in the world has been greatly diminished, harming our ability to stop the proliferation of weapons of mass destruction and eradicate disease and alleviate poverty, and all of the other leadership roles we have played in the past. It has come at a tremendous cost in dollars to American taxpayers, trillions of dollars, which have taken us deeply into debt, which has taken us into recession. More on that later. But think of the opportunity cost of that money, what we could have done to invest in education and health care. We will pay any price any time to protect the American people, but not to follow the whim of the impaired judgment of this Bush administration.

Only when we finally end this war can we rebuild our military. And that is another cost of this war, diminishing the capacity of our military to meet challenges and threats to our security wherever they may occur. When we do that, we will be able to refocus our attention on the real war on terror.

So this action that we are proposing today, a new direction in Iraq that will end the war, will rebuild our military, refocus on the real war on terror, and restore our reputation in the world. That is why this legislation directs that a redeployment begin within 30 days of this bill's enactment, and with the goal of being completed by December 2009, be completed by then. The new President will have the flexibility to bring our troops home safely, honorably, responsibly, and soon.

Essential to restoring our reputation in the world is to regain our moral authority, which has been lost in this war. That is why under the conditions of this legislation torture is banned. Thank you, Mr. MURTHA, for your leadership on this subject. This condition has passed this House overwhelmingly in the defense appropriation bill.

It will also ban permanent bases in Iraq. This condition has passed this House overwhelmingly on any number of occasions, over 300 votes. Insist that the Iraqis pay their fair share for reconstruction. This is a relatively new condition, but a necessary one predicated on the fact that the Iraqis are amassing a budget surplus while we're going deeply in debt to pay for their reconstruction. We're saying if we put up a dollar, you put up a dollar, dollar for dollar to participate in their reconstruction. They have to be at least as interested in rebuilding Iraq as we are, especially when we are doing it to the neglect of our own reconstruction needs in the United States.

This legislation will also ensure that our military pays only its fair share for fuel. Do you know that in Iraq, we pay almost 2½ times as much for gasoline, our military does, than the Iraqi people do? The Iraqi Government subsidizes the Iraqi people and makes our military pay more than double. And that's a new condition.

The conditions here calling for the cleaning up of waste, fraud and abuse in Iraq and reviewing of contracting passed by suspension. Over two-thirds of the House voted for this legislation that is contained in this condition. And require that any agreements with Iraq that commit U.S. forces for the protection of the Iraqi Government from an external force or from a civil war internally must be approved by the Congress of the United States.

Under the guise of a Status of Forces Agreement, the administration is committing the United States to a treaty without congressional approval. I remind the President of article I. Read the Constitution, Mr. President.

I believe that these provisions should receive bipartisan support. They have every time they have come to the floor. The only two new ones are about the cost of fuel and the dollar for dollar.

What we will also accomplish in this bill is to honor our responsibility to our men and women in uniform. I have been to the theater, to the war area, five or six times in the course of this military action, sometimes with Mr. MURTHA, with Mr. SKELTON, with Mr. LANTOS, with our committee Chairs of jurisdiction.

□ 1430

And when we meet the young people there, they always say the same thing: ''What is going to happen to me when I go home?'' ''What is going to happen to me when I go home?''

Some of the soldiers were telling me about their lives at home, and one of them was very quiet, and I said to him, ''What did you do before you came to Iraq?''

He said, ''I was in high school, ma'am.'' He was in high school. He was a teenager with a gun over his shoulder. If that's necessary for our country's security, it has to happen. But this young man, a teenager, fighting that fight without any thought about what was going to happen to him when he came home.

Well, what we would like to say in the final amendment here is that when you come home, young man, we will thank you for your service to our country by sending you to college. That's what the student veterans have asked us for. That is what we have done for veterans in the past. That is what we owe these young people now. And in doing so, we will be doing a great thing not only for them but for our country because their education will be part of the economic recovery of our country. In the security of our country, they have led the way. In the economic recovery of our country, they will be in the lead.

Third in this bill, we will begin to address America's domestic priorities. We will address the deep economic pain facing many families. As I mentioned, this war, President Bush's war, which is enabled by the complicity of the Republicans in Congress, has taken us deeply into debt, which has taken us deeply into recession, and now has taken our economy to a place where we have record numbers of people unemployed. Today 7.6 million people are unemployed. Of these, 1.4 million Americans, jobless Americans, have been looking for work for over 6 months. And our economy has lost 260,000 jobs this year so far alone. These people need our help as they continue to seek work in this difficult economy.

Thank you, Mr. OBEY, for including the unemployment insurance for America's workers in this legislation.

The contrast, I believe, Mr. Speaker, is clear. President Bush and the Republicans in Congress insist on a war without end in Iraq. Democrats, Independents, and Republicans across the country, but, sadly, too few Republicans in this House, are insisting on a New Direction. A New Direction that strengthens America's military by ending the war in Iraq. A New Direction that strengthens America's economy by investing in our veterans and our workers here at home.

We have said over and over again that one way to support our troops is to build a future worthy of their sacrifice. We can begin building that future worthy of their sacrifice by saying ''thank you'' to them and, when they come home, to send them to college.

I urge my colleagues to support the second and the third amendments that are being presented today. And in closing, I want to, as always, salute our men and women in uniform for their service, their sacrifice, their courage,

their patriotism, and with our commitment, again, to build a future worthy of their sacrifice.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the Republican Policy chairman, the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Speaker, we find ourselves today as a minority party watching a very perplexing bill come towards us. It's perplexing in the sense that we watch a majority party which has promised America to end the war, which many of us, I think, rightly view and the world will view as an American defeat because it has failed and cannot be changed to the point where America can win. We've also watched a majority party tell us that the spending on the Iraq war has destroyed the American economy. We can differ on that but that is their position. And we now watch the Democratic Party bring forward a bill that will fund a failed war and will evidently, by their logic, further decimate the American economy.

Now how does one come to the conclusion that this is a necessary step for said party? Well, you have discretionary spending added into it. Now, I would argue that a fine piece of legislation has been attached to this bill, which was introduced by the gentleman from Washington, to help people who are unemployed. Thanks to the policies of my State legislature, which has raised taxes and helped drive business out of Michigan, we have seen that people need unemployment insurance to get themselves through difficult times in the hopes they can find employment.

Which brings me to the next problem with this, which is in an attempt to help veterans, we are raising taxes on small business income. Eighty percent of the income that will be taxed comes from small business. So now what we have is an attempt to show that we can fund a war that we believe has failed with money that has decimated the American economy by going overseas; yet we will try to help the unemployed, who will further suffer from this, and we will try to help veterans who come back from that war by making sure that there are no jobs here waiting for them.

Again, it is a very perplexing bill. I would suggest to the gentleman who earlier suggested there was nothing Congress could do to end this war to rethink the position.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. MCCOTTER. Congress still holds the power of the purse. If the war is not funded, the war cannot continue. That's perhaps a position I disagree with, but it is a factual matter. If you are serious about this, you would do that.

Or you would have a straightforward vote on funding the troops to ensure that we continue to move forward and that America is not defeated in Iraq. You would have dealt with the McDermott bill and sent it to the President despite his veto threat because he has also threatened to veto this legislation. There would be much Republican support for this. And then you would deal with the veterans in the way they should be.

Now many friends of mine are Blue Dogs. You were not questioned on your patriotism when you determined that this money for veterans had to be offset. No one said you cared more about big government than veterans. I would suggest that those of us who want to make sure our economy recovers and do not want to tax it into submission and decimation should not have any patriotism questioned about supporting veterans by opposing tax increases and instead looking for cuts in Federal pork to pay for it.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I urge my colleagues to reject the President's demand for war money and to instead support an amendment that will force the redeployment of our troops from Iraq and to fully fund the benefits that our veterans deserve.

A half decade after ''Mission Accomplished,'' the President is asking once again for $160 billion to fund a war that cannot be won militarily. But, Mr. Speaker, it's past time to look this President in the eye and say, ''Read my lips: No.''

Our military is superb, but it cannot impose peace in a country plagued by sectarian violence. Peace will not come to Iraq until Iraqis stop killing each other.

Nevertheless, the President's followers demand hundreds of billions more for combat operations while they insist on blocking a relatively small appropriation for our veterans. This is an outrage, and we owe our servicewomen and men the best. The years of neglecting their safety and well-being must come to an end.

Mr. Speaker, I urge my colleagues to join me in rejecting funds for war, in requiring withdrawal from Iraq, and in providing the education and health care benefits our veterans deserve.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from Kentucky (Mr. ROGERS).

(Mr. ROGERS of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Mr. Speaker, we're dealing here with a bill that until today has never seen the light of day. This bill was concocted in the back room of the Speaker. We were not allowed to have input on it. We have not been allowed to have amendments. JACK MURTHA's subcommittee on national defense was not allowed to have a hearing on this or discuss it with his subcommittee members. No subcommittee on appropriations was allowed to have a hearing and debate the issues.

Mr. MURTHA. Will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. We did have a meeting, and I explained the part of our bill to the subcommittee, and we had no dissension at all. We had a lot of suggestions. We spent a long time on the bill. We spent at least an hour, much more time than we usually spend on a bill.

Mr. ROGERS of Kentucky. You say you met with the subcommittee and informed them about what's in the bill that the Speaker wrote? I agree with that.

Mr. MURTHA. Absolutely.

Mr. ROGERS of Kentucky. That's what I'm saying.

Mr. MURTHA. Okay.

Mr. ROGERS of Kentucky. And the full chairman of the committee did the same thing. He didn't draft this bill. This bill was given to him. And the Members of the minority have had no say in what's in this bill.

The people of this country deserve to have their representatives in Congress have a say-so in what comes before the House and what's debated on the House floor, and we have not been given that.

This is a dictatorship here. This bill has not seen the light of day. It has not been the subject of amendments. We have not been allowed to ask questions. We didn't know what was in it until yesterday, a bill this thick.

So the process here is flawed. And it's the first time that I recollect in my 28 years here of a bill coming to the floor, an appropriations bill, without the minority's having a say-so unless they had agreed to it. This is a new procedure we are having here.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. ROGERS of Kentucky. That's objection number one. We did not have a chance to have a say-so on this bill. The American people have been shut out of a discussion of what's in this bill, until today.

Number two, this bill is loaded down with matters that are not related to helping the brave men and women on the battlefield on the other side.

Now, there are all sorts of amendments that you're hearing today that will be offered, one of which contains a lot of spending and a lot of spending that's not related to helping the troops overseas.

And so I am disappointed. I'm disappointed in the fact that the Appropriations Committee was bypassed, therefore the people were denied a voice, and this bill brought directly to the floor without ever having had a single day of hearings in the subcommittees and the full committee.

I urge a ''no'' vote.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. BOYD).

Mr. BOYD of Florida. I thank the gentleman from Wisconsin for yielding.

Mr. Speaker, ladies and gentlemen, the last GI Bill was written after World War II, and 64 years later we're passing a new expanded GI Bill that will provide important education benefits for our veterans. Simply put, ladies and gentlemen, it's the right thing to do.

In the wars in Iraq and Afghanistan, our guardsmen and our reservists have been used and deployed by our Commander in Chief at a level that we haven't seen since World War II. Many of these guardsmen and reservists were in a career profession before these wars, and many will come home unable to continue that career profession because of physical or mental injuries sustained during their service in that war.

This GI Bill will restore the promise of a full 4-year education for our benefits, 60 years since the last one was written, and make the veterans of Iraq and Afghanistan part of the American economic recovery efforts just as the veterans of World War II were.

I want to thank the Speaker and the House leadership for bringing this bill to the floor.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. I yield the gentleman 1 additional minute.

Mr. BOYD of Florida. Mr. Speaker, this bill was brought to the floor in a fiscally responsible manner. By fully funding this GI Bill for the next 10 years and paying for it up front, we have made this legislation better for our veterans and better for the American people.

We are asking those who benefit the most from living in a strong country to pay to take care of those who risk their lives to defend it instead of borrowing the money from China or bucking the costs to our children and grandchildren.

Supporting this bill is the right thing to do. And I want to thank Chairman OBEY and Chairman MURTHA for also including the Iraq loan provisions which will require the Iraqis to pay for the security training of their own people and the reconstruction efforts.

□ 1445

Mr. LEWIS of California. I reserve the balance of my time.

Mr. OBEY. Could I inquire of the gentleman from California how many speakers he has remaining.

Mr. LEWIS of California. As of this moment, we have one additional speaker. I may take 10 seconds to close or something like that.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. PATRICK J. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. Thank you, Chairman OBEY and Chairman MURTHA.

As a solemn and distinguished body, we again stand ready to break with President Bush and demand change in Iraq. And again, we have a chance to do what is right after years of pursuing the wrong strategy, a misguided strategy, that I saw firsthand and a battle my fellow paratroopers are still fighting today.

Today, we can come together to do what is right. Today, we can change direction in Iraq, refocus on al Qaeda in Afghanistan and give our troops the GI Bill that they have earned.

The question before us is clear: Do we proceed in a bipartisan way with the support of military experts and American families? Or do we continue to allow more political posturing and more of the same while American troops are stuck refereeing a religious civil war?

That is the choice we all must make. And to those who stand in the way of change and accountability in Iraq, the American people are paying attention.

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

Mr. OBEY. I yield the gentleman 30 additional seconds.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I am proud to stand with those who want a change. I am proud to fight for accountability in our foreign policy and proud to fight until our brave veterans get the benefits that they deserve.

A year ago, I called on my colleagues from both sides of the aisle to stand ready for change. I renew that same call today. Neither our troops nor our veterans can wait for us to change our foreign policy in Iraq, not until next year's sixth anniversary, or the seventh anniversary, or the tenth.

Mr. LEWIS of California. I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman.

I rise in opposition to one more dollar being spent on the war in Iraq but many, many dollars spent on the brave men and women. I thank the leadership and I thank this committee for allowing us to spend dollars because of a responsibility to our troops with the GI Bill.

I also offer to my constituents, but also to this body, that we have an emergency, as well, with our summer jobs program. And I hope that we will find a way to fund a summer jobs program for our youth.

Let me say that there is not a tax burden in this bill, and I thank our leadership for understanding PAYGO. This is nothing more than an opportunity for those who make over $1 million to experience the burden, if you will, of the sacrifice this Nation is making on behalf of our troops. The moneys that are expended, only $500 for those making over $1 million and more, will be given to our troops with the GI Bill of Rights.

Where do we stand? I stand with the flag on behalf of the American troops. This is a great bill. Vote against the funding for the war and vote for the redeployment of our troops, a better domestic plan, and yes, an opportunity to pass the GI Bill of Rights, the GI Bill for our young men and women.

Mr. Speaker, I rise today in opposition to the continued funding of the Iraq war. While I offer my support for Amendments No. 2 and No. 3, I must oppose amendment No. 1. While amendments 2 and 3 contain provisions beneficial to the American people, designed to improve our economy and protect our young men and women, amendment 1 continues a disastrous policy of providing unrestricted funding to continue the Bush administration's war in Iraq.

Last night, I offered three amendments to this legislation in the rules committee. My first amendment would have added three sense of Congress paragraphs: "(1) The war in Iraq should end as safely and quickly as possible and our troops should be brought home; (2) the performance of United States military personnel in Iraq and Afghanistan should be commended, their courage and sacrifice have been exceptional, and when they come home, their service should be recognized appropriately, including through the observance of a national day of celebration; and (3) the primary purpose of funds made available by this Act should be to transition the mission of United States Armed Forces in Iraq and undertake their redeployment, and not to extend or prolong the war."

This amendment is borne from my deeply held belief that we must commend our military for their exemplary performance and success in Iraq. As lawmakers continue to debate U.S. policy in Iraq, our heroic young men and women continue to willingly sacrifice life and limb on the battlefield. Our troops in Iraq did everything we asked them to do. We sent them overseas to fight an army; they are now caught in the midst of an insurgent civil war and continuing political upheaval. The United States will not and should not permanently prop up the Iraqi government and military. U.S. military involvement in Iraq will come to an end, and, when U.S. forces leave, the responsibility for securing their nation will fall to Iraqis themselves. However, whether or not my colleagues agree that the time has come to withdraw our American forces from Iraq, I believe that all of us in Congress should be of one accord that our troops deserve our sincere thanks and congratulations.

I very strongly believe that our Nation has a moral obligation to ensure that our veterans are treated with the respect and dignity that they deserve. One reason we are the greatest Nation in the world is because of the brave young men and women fighting for us in Iraq and Afghanistan. They deserve honor, they deserve dignity, and they deserve to know that a grateful Nation cares about them.

The second amendment that I offered explicitly states that the goals laid out by the Authorization for Use of Military Force Against Iraq Resolution of 2002, AUMF, have all been achieved by our troops in Iraq.

As my amendment describes, the brave men and women of our military have done everything we asked them to do. The United States Armed Forces successfully toppled the regime of Saddam Hussein and captured the key cities of Iraq in only 21 days. Because of the skill and dedication of the members of the Armed Forces, the entire world has now been assured that Iraq does not possess weapons

of mass destruction that could threaten the United States or any member nation of the international community. The Armed Forces performed magnificently in conducting military operations designed to ensure that the people of Iraq would enjoy the benefits of a democratically-elected government governing a country that is capable of sustaining itself economically and politically and defending itself militarily. In June 2004, the Armed Forces facilitated the transfer of sovereignty from the Coalition Provisional Authority to the interim Government of Iraq, which governed Iraq until December 2005 when national elections were held in which more than 8 million Iraqi men and women voted in elections that were free and fair.

While our troops have achieved the objectives for which they were sent to Iraq, they are now caught in the midst of a sectarian conflict. Unfortunately, there is no military solution to Iraq's ongoing political and sectarian conflicts. This is a war without end. Though President Bush continues to rely on a strategy that seeks to stabilize and reconcile Iraq by force, only the Iraqi government can secure a lasting peace. Thus far, the Iraqi government has demonstrated an inability or an unwillingness to deliver on the political benchmarks that they themselves agreed were essential to achieving national reconciliation, which was the rationale and stated objective of the recent troop surge. Continuing to put the lives of our soldiers and our national treasury in the hands of what by most informed accounts—even by members of the Bush Administration—is an ineffective central Iraqi government is irresponsible and contrary to the wishes of the overwhelming majority of the American people.

The third amendment that I offered would provide funds for summer youth employment and training activities under the Workforce Investment Act. Unfortunately, many of our youth have to help out their families in these troubling economic times. Many of the youth who could obtain skills and training in their summer jobs state that they would either be sitting around watching television or getting into trouble if they were not in their communities working.

For more than 30 years, beginning in the 1960s, the Federal Government saw the enormous benefit of providing summer jobs to millions of disadvantaged youth across America. But since 2000, the Summer Youth Employment and Training Program, SYETP, has lost its direct funding, and is now effectively buried among 10 competing programs within the Workforce Investment Act, WIA. With unemployment soaring and the summer heat approaching, there is an urgent need to bring back summer jobs for youth. We need to be cognizant of the fact that many families count on their children working during the summer to raise money for college.

Families are facing a foreclosure crisis, the rising cost of gas, and health care; this amendment provides more money for workforce preparedness among our youth. When we invest in our youth and foster a sense of responsibility it will last a lifetime, aiding not only them, but their families, and our communities. This amendment would give our youth the skills and training they need to enter the workforce, and the money they and their families need to make it in these tough economic times.

However, the legislation we are considering today contains many important provisions, but, unfortunately, the first amendment continues funding for a war that I strongly oppose. I oppose amendment No. 1 because I stand with the American taxpayers who have paid over $600 billion to finance the misadventure in Iraq. I stand with the 4076 fallen heroes who stand even taller in death because they gave the last full measure of devotion to their country. Last May, I was proud to vote for H.R. 1591, a supplemental spending bill that would have provided funds for our troops in Iraq and Afghanistan, which included a timetable for the redeployment of U.S. troops. Though this bill passed the House by a clear majority, the President opted to veto this legislation.

Mr. Speaker, I must oppose Amendment No. 1. This amendment provides a total of $162.9 billion for the Department of Defense for FY 2008 and FY 2009, funds that are handed over without any strings. The amendment does not withhold funding for the Iraq war, a war that so many of my colleagues in Congress oppose, and which only 32 percent of Americans now support. The amendment does not require that war funds can only be used for the responsible redeployment of American troops home from Iraq.

Mr. Speaker, I voted against the 2002 Iraq War Resolution. I am proud of that vote. I have consistently voted against the Administration's practice of submitting a request for war funding through an emergency supplemental rather than the regular appropriations process which would subject the funding request to more rigorous scrutiny and require it to be balanced against other pressing national priorities. I cannot support legislation that provides the President with the resources to prolong his ill-advised war effort unrestrained.

I rise today in strong support of Amendment No. 2. This amendment lays out a responsible U.S. policy toward Iraq, requiring that troops begin redeployment from Iraq within 30 days, with a goal of completing the withdrawal of combat troops by December 2009. As a Member of both the Out of Iraq and the Progressive Caucuses, I am proud to vote for legislation that, like other measures passed by this Congress, begins the process of withdrawing U.S. men and women from Iraq.

In addition, Mr. Speaker, this legislation specifically requires that any agreement between the United States and the Government of Iraq committing future U.S. forces must be specifically authorized by Congress. The governments of Iraq and the United States announced their intention to forge a strategic framework agreement, a long-term, bilateral pact, to be completed by July 31, 2008. This negotiated agreement is to be based on the Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship Between the Republic of Iraq and the United States of America, signed November 26, 2007, by Iraqi Prime Minister Nuri al-Maliki and President Bush.

Under the Declaration of Principles, the parties will negotiate a security agreement, under which the United States will support the Iraqi government and Security Forces in providing security and stability and fighting al-Qaeda and other terrorist groups. The Declaration of Principles envisions an agreement setting forth a wide-ranging set of commitments, which will cover issues including politics, economics, and security. In hearings before the Committee on Foreign Affairs, administration officials have indicated that the President intends to negotiate this agreement as an executive agreement, not subject to Congressional approval. It is essential that any agreement which commits future U.S. troops to the defense of Iraq is outside the purview of existing authorizations, and such an agreement must be submitted to the Congress for approval. This legislation also prohibits the establishment of permanent bases in Iraq.

Mr. Speaker, amendment No. 2 requires that the Iraqi government step up and pay its share of Iraqi reconstruction efforts. I am concerned that the United States has paid and continues to pay a disproportionate amount for Iraq reconstruction, especially when the Iraqi government reportedly has a $25–30 billion budget surplus this year. To date the United States has appropriated more than $45 billion for Iraq reconstruction.

American funded reconstruction programs have included: the training and equipping of Iraqi security forces.

Iraq is a resource-rich nation. Though still facing problems including a lack of technology, damage from previous mismanagement, the effects of looting, and water intrusion, Iraqi oil production is currently at around 2 million barrels per day. The price of oil has skyrocketed to over $100 a barrel and Iraqi oil exports are generating an estimated $56.4 billion this year alone, according to the GAO, yet it is U.S. taxpayers who continue to foot the bill for Iraqi reconstruction. The government of Iraq is stashing its money in global banks, including a reported $30 billion in the U.S., instead of investing this money in the development of crucial Iraqi infrastructure. This legislation requires the Iraqi government to take responsibility for the future of its own nation.

There are a number of other key provisions in this amendment. It requires the President to reach an agreement with Iraq to subsidize fuel costs for U.S. Armed Forces operating in Iraq so that our military pays what Iraqis pay. It requires that troop's meet the Pentagon's definition of combat ready before they are deployed to Iraq; Prohibits troops from being deployed longer than Pentagon guidelines recommend; and requires that troops spend adequate time at home between deployments. This legislation makes substantial strides toward cleaning up contracting in Iraq, expanding current law to make all contractors working in war zones subject to prosecution for offenses that would otherwise be in violation of U.S. law; extending the statute of limitations for fraud cases during wartime; and amending the federal criminal code to prohibit profiteering and fraud involving contractors overseas. In addition, it prohibits interrogation techniques not authorized in the Army Field Manual, a provision necessary in eliminating torture.

AMENDMENT NO. 3

Mr. Speaker, the third amendment to H.R. 2642 provides over $21.2 billion for much needed domestic programs and foreign aid. By extending unemployment benefits, expanded veterans' education benefits, and placing a moratorium on the Bush Administrations' seven Medicaid regulations; this amendment gets us closer to where the Economic Stimulus package should have taken us.

This amendment will provide increased funds for food aid, military hospitals, and the reconstruction of the Louisiana levees.

INTERNATIONAL FOOD AID

As many of you know, we are facing an international food crisis. According to the International Monetary Fund, IMF, global food

prices have increased an average of 43 percent. In fact since March 2007, wheat has increased by 146 percent, soybean has increased by 71 percent, corn by 41 percent, and rice prices have increased by 29 percent, according to the U.S. Department of Agriculture.

Many factors have played into this crisis. In China, India, and other emerging markets experiencing rapid economic growth, consumers are increasing their demand for food, oil, and energy supplies. Rising energy costs have directly raised the cost of agricultural production. Adverse weather-related events have lowered crop yields, particularly affecting wheat harvests. Depreciation of the U.S. dollar accounts for part of the increase in U.S. food prices, while increased production of biofuel has raised the price of corn.

Sadly, approximately 1 billion people—or one sixth of the world's population—subsist on less than $1 per day. Of this population, 162 million survive on less than $0.50 per day. Overall, increased food prices particularly affect developing countries, and the poorest people within those countries, where populations spend a larger proportional share of income on basic food commodities.

That is why I, along with other Hunger Caucus members, hosted a forum on the Food Crisis and what it is doing to our children. We met with leaders of the international aid community to come up with pragmatic solutions to the global hunger crisis, both in the short term and the long term.

In my district I submitted an appropriations request for the Houston Food Bank to expand their collection and distribution of food to the good people of Houston. We each have to do our part, not only in our district by supporting much needed programs and organizations, but across this great Nation and the rest of the world.

This amendment would give $9.9 billion, $496 million above the President's request, for the State Department, USAID and International Food Assistance. It is simply unacceptable in this day and age that children are going hungry. We have millions of dollars to bail out Bear Stearns, let's find that same money to help our families and our children.

EXPANDED GI BENEFITS FOR VETERANS EDUCATION

As champion for veterans, I am especially pleased to see the expansion of education benefits to veterans under the GI bill.

EXTENDED UNEMPLOYMENT COMPENSATION

The number of Americans looking for work has grown by 800,000 over the last year, and the number of American jobs has declined by 260,000 since the beginning of 2008. This supplemental would extend unemployment benefits for workers who have exhausted their benefits by up to 13 weeks in every State as well as an additional 13 weeks in States with high unemployment.

PROTECTING THE MEDICAID SAFETY NET ACT OF 2008 (H.R. 5613)

The Bush Administration sought to cut services and payments to American families by adding seven different Medicaid regulations to the stimulus. This amendment places a much needed moratorium on those regulations, giving back to our seniors, families, and those with disabilities as well as cut payments to safety net providers.

REFUGEE ASSISTANCE

$675 million, $454 million above the President's request, to address the refugee crisis in Iraq and elsewhere.

MERIDA

This amendment would give $461.5 million, $88.5 million below the President's request, for the initiative to provide counternarcotics and law enforcement assistance in Mexico, $400 million, and Central America, $61.5 million.

MILITARY CONSTRUCTION

The $4.6 billion for military construction, $2.2 billion over the President's request, including $939 million for BRAC, over $210 million for the military child care centers that the President announced in the State of the Union but never funded, and $992 million for military hospitals, to prevent the types of problems that faced Walter Reed.

BUREAU OF PRISONS

This $178 million urgently needed to meet rising incarceration costs and growing inmate population. The administration would have paid for these costs with cuts to State and local law enforcement funding.

CLEANING UP CONTRACTING (H.R. 3928 & H.R. 5712)

Increases accountability and transparency in federal contracting by requiring companies that receive more than 80 percent of their revenue from the federal government to disclose the names and salaries of their top officers, and requires federal contractors to report violations of federal criminal law and over-payments on contracts over $5 million.

Mr. LEWIS of California. Mr. Speaker, I recognize the minority leader of the Republican side of the aisle, my colleague, JOHN BOEHNER, for 1 minute.

Mr. OBEY. I want to make sure the gentleman's rights are protected. You indicated to me that you wanted the minority leader to close debate on your side?

Mr. LEWIS of California. No. I indicated I was recognizing him for 1 minute. I may have a few seconds myself at the end.

Mr. BOEHNER. Let me thank my colleague for yielding and ask my colleagues what is it that we are doing here? We got 1 week before we break for the Memorial Day recess. Admiral Mullen, Chairman of the Joint Chiefs, has said we have to have the funding for our troops in Iraq and Afghanistan.

We know that come early June, layoff notices go out to contract employees who work at the Pentagon. Why? Because we can't seem to get this bill finished. And why can't we get it finished? Because we have a bill in front of us that has all types of unrelated spending beyond what is needed to fund our troops.

The gentleman from California (Mr. LEWIS) earlier this week, introduced a clean troop funding bill, a bill that the President called for with the changes that were made up here to make sure that we got funding to the troops as quickly as possible. That is the bill that ought to be on the floor today, not a bill that handcuffs our generals, starves our troops and puts them in a position where they can't succeed in their mission in Iraq and Afghanistan.

The bill also includes a $54 billion tax hike on small businesses around the country. And if there is a time when we don't need to be raising taxes on small businesses, it is now. They are the engine of new job growth in our country. And what are we going to do? We are going to put more taxes on them.

I think that what we are doing here is that we are playing political games on the backs of our troops. You know it. All this bill is going to do is delay the process for weeks and weeks and weeks while we play political games because you know the President is not going to sign this bill.

Why don't we move Mr. LEWIS' bill? We can do it today. We can do it early next week. It is a clean troop funding bill that takes care of our troops and honors them on the eve of Memorial Day instead of playing political games on their backs.

Mr. OBEY. How many speakers does the gentleman have remaining?

Mr. LEWIS of California. I will just have a few seconds. I will reserve the balance of my time.

Mr. OBEY. I'm sorry. I couldn't hear you.

Mr. LEWIS of California. I will have a few seconds, but at the end of it, if you are at the end.

Mr. OBEY. I guess by default I am the last remaining speaker. The majority leader is otherwise occupied and so I would ask the gentleman to proceed.

Mr. LEWIS of California. With that, Mr. Speaker, I have enjoyed in many ways this discussion today. But most particularly, I have enjoyed having a chance to review the comments, sometimes even the lectures, of my colleague, the chairman of the committee, over the years. It wasn't that long ago that I had the chance to be the chairman myself. And earlier today, I used a quote from the then-ranking member of the committee in which he, in part, said, ''The American people know that, once again, Congress is putting partisan political considerations ahead of the needs of the American people.''

He protested so much. In that same conversation, Mr. OBEY went on to say, ''In my view, the quickest way to end this political nonsense is to vote 'no' on this bill so that we can send the President a bill which is respectable, responsible and can be signed.''

I must say that serving in the ranking member position at this point in time, I couldn't more heartily adopt the words of my colleague when he formerly had a position like mine.

In the meantime, this bill goes forward. The chairman knows full well that the bill that was written in the corner of this building by a couple of hands is going nowhere. It is very likely to be vetoed. In turn, he is repeating that very process he was protesting against so strongly not so long ago.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself the remainder of the time.

Mr. Speaker, first of all, I want Members to understand this bill was not written in the Speaker's office or any other leadership office. Virtually every appropriation issue of this bill was

written in the Appropriations Committee. We did not, obviously, write language that has previously passed the House under the control of other committees. The Energy and Commerce Committee produced the language, for instance, on the Medicaid rules. And the authorizing committee produced the language on unemployment compensation. That's normal.

In fact, the Speaker herself was joking the other day and teasing me, indicating that there were three items that she had wanted in the bill that the committee had turned down. So I would suggest this is not quite the dictatorship that the myth-makers on the other side of the aisle are trying to portray.

Having said that, let me explain what it is we are doing here today, since the minority leader was courteous enough to ask. What we are trying to do is to recognize a sad fact, which is that as long as George Bush is President of the United States, we are not going to be able to shut down the war. So what we are trying to do is proceed in the most responsible possible manner in order to assure that the next President, whoever he or she is, has at least 3 or 4 months to think through how he or she would get us out of this god-awful mess in Iraq, which I regard to be the most misguided foreign policy decision in my lifetime.

What we are trying to do is to recognize that we do not have a majority in the United States Senate to shut down this war. And so we are looking at ways to provide Members with an opportunity to speak out on whether they want to see that war funding go ahead or not, a straight up-or-down vote. No coercion, at least on this side of the aisle, no whipping that question on this side of the aisle. Members were told, ''Vote your conscience.''

We are also trying to do two other things. We are trying, once again, to attach conditions to the use of this money. Now I myself will vote against the first amendment because I have no guarantee that the conditions in the second amendment will survive Senate action. If they did, I would be perfectly comfortable with the first amendment because I think the first amendment is a straight effort to do what I just described a minute ago.

But the reason we want to pursue the second amendment is because we think it is about time that the Iraqis, now that they are generating oil surpluses and budget surpluses, we believe it is about time that they begin to assume the costs of their own reconstruction, at least 50 percent of it. This is why we have a 50–50, dollar-for-dollar match requirement which we are imposing on the Iraqis if we are to be expected to spend any more money in reconstructing Iraq. We think that's eminently sensible.

We also think it is about time that Iraq quit overcharging the U.S. military for the price of gasoline. There is no reason why we should be paying through the nose at a much higher price than Iraqis are paying for gasoline.

And then thirdly, we are asking the President of the United States to remember that the United States of America still exists, too, and that there are some problems that we need to address here. In fact, the administration itself has recognized some of them because the administration sent down a reprogramming request to deal with the problem of the Bureau of Prisons. They sent down a reprogramming request to deal with the census. We didn't think we ought to fix those problems by cutting even more deeply into local law enforcement funding, because those budgets have already been cut far too much. So we rejected the way that the administration wanted to pay for those items. And instead we have included them in this bill fully, fully paid for.

We also have the temerity to believe that if we are going to fight this war, then we ought to also provide a thank you note, a healthy thank you note, for the people who fought the war on our behalf. That is why we are insistent that we pass the expansion of the GI Bill so that you can take people whose lives have been turned upside-down for years, military families from the east coast to the west coast, their lives have been disrupted for years. We want to say ''we want to at least partially compensate you by giving you the opportunity for a full, 4-year college education at any State university in your State.'' And we have provisions that will even expand beyond that if they go to other schools that also participate in helping finance their education. We make no apology for including that.

We have heard from at least three speakers on that side of the aisle that we are providing $51 billion for that on the backs of the soldiers.

□ 1500

It isn't on their backs. It's an effort to help them. I would point out in the previous GI Bill in World War II, this country got a return of $7 for every dollar that it invested in the GI Bill. We recognize the value of doing that again. We recognize the moral obligation of doing that again, and we make no apology in going forward with it.

We also make no apology for recognizing that when we have millions of Americans unemployed, that there is no harm done by providing to those who have been unemployed the longest and have exhausted their benefits, with 13 weeks of additional assistance as those people look for jobs. This Congress sits here in a comfortable room making $160,000 a year, nickel nursing about our efforts to provide a few additional benefits to people who have been unemployed that long.

If we don't vote for that provision, we ought to be ashamed of ourselves. I ask each and every Member to vote your conscience. I am not going to tell you how to vote on any of the amendments. I will be voting against the first, for the second and the third.

But I urge us to get on with it. This is the only way that we can get the problem dealt with.

Mr. OBEY. Mr. Speaker, following is an explanation of the amendments of the House of Representatives (relating to supplemental appropriations for fiscal years 2008 and 2009) to the amendment of the Senate to H.R. 2642, the Military Construction and Veterans Affairs Appropriations Act, 2008.

In this statement, the provisions of the House amendments to the Senate amendment are generally referred to as ''the amended bill''.

House Amendment 1 strikes lines 1 through 3 on page 60 of the Senate amendment and inserts language providing supplemental appropriations for the Department of Defense for fiscal year 2008, and additional supplemental funds for fiscal year 2009 for operations in Iraq and Afghanistan.

House Amendment 2 inserts after line 3 on page 60 of the Senate amendment language regarding policy for operations in Iraq and reforms relating to war profiteering and contractors.

House Amendment 3 strikes line 1 on page 1 of the Senate amendment and all that follows through line 21 on page 59, and inserts language providing supplemental appropriations for military construction, international affairs, and other security-related and domestic needs, as well as language providing for improved veterans education benefits, temporary extended unemployment compensation, and a moratorium on certain Medicaid regulations, and establishing a surtax on high income taxpayers to offset the cost of the veterans benefit provision.

The texts of the amendments are printed in the Rules Committee report (H. Rpt. 110–636) to accompany House Resolution 1197.

Unless otherwise noted, all appropriations in the amendments are designated as emergency requirements and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21, the congressional budget resolution for fiscal year 2008.

AMENDMENT NO. 1

TITLE IX—DEFENSE MATTERS

CHAPTER 1—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

DEPARTMENT OF DEFENSE—MILITARY

OVERVIEW

RECOMMENDATION

In title IX, chapter 1, total new appropriations of $96,622,127,000 are recommended. A detailed review of the recommendations for programs funded in this chapter is provided in the following pages.

The recommended supplemental appropriations for the Department of Defense are intended for ongoing military and intelligence operations in support of Operation Iraqi Freedom (OIF), Operation Enduring Freedom (OEF), and the larger Global War on Terror (GWOT). The recommendations in this chapter are based on the initial budget request, an update to that request, formal hearings, and numerous briefings and are intended to address emergency, high-priority needs of the United States military and intelligence community. In some cases, funding has been reduced or eliminated for certain activities that are either not emergency in nature; 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 2009.

The following table summarizes by appropriation account or general provision, the recommendation:

(Amounts in thousands)

	Bill
CHAPTER 1	
DEFENSE SUPPLEMENTAL APPROPRIATIONS FOR FY 2008	
DEPARTMENT OF DEFENSE--MILITARY	
Military Personnel	
Military Personnel, Army (emergency)	11,807,655
Military Personnel, Navy (emergency)	866,753
Military Personnel, Marine Corps (emergency)	1,820,571
Military Personnel, Air Force (emergency)	1,286,153
Reserve Personnel, Army (emergency)	304,200
Reserve Personnel, Navy (emergency)	72,800
Res rve Personnel, Marine Corps (emergency)	16,720
Reserve Personnel, Air Force (emergency)	5,000
National Guard Personnel, Army (emergency)	1,369,747
National Guard Personnel, Air Force (emergency)	4,000
Total, Military Personnel	17,553,599
Operation and Maintenance	
Operation & Maintenance, Army (emergency)	16,343,512
Operation & Maintenance, Navy (emergency)	2,952,864
(Transfer out) (emergency)	(-112,607)
Coast Guard (By transfer) (emergency)	(112,607)
Operation & Maintenance, Marine Corps (emergency)	159,900
Operation & Maintenance, Air Force (emergency)	5,922,520
Operation & Maintenance, Defense-Wide (emergency)	3,387,562
Operation & Maintenance, Army Reserve (emergency)	164,839
Operation & Maintenance, Navy Reserve (emergency)	109,876
Operation & Maintenance, Marine Corps Reserve (emergency)	70,256
Operation & Maintenance, Air Force Reserve (emergency)	165,994
Operation & Maintenance, Army National Guard (emergency)	685,644
Operation & Maintenance, Air National Guard (emergency)	287,369
Subtotal, Operation and Maintenance	30,250,336
Iraq Freedom Fund (emergency)	50,000
Afghanistan Security Forces Fund (emergency)	1,400,000
Iraq Security Forces Fund (emergency)	1,500,000
Subtotal, Other	2,950,000
Grand total, Operation and Maintenance	33,200,336
Procurement	
Aircraft Procurement, Army (emergency)	954,111
Missile Procurement, Army (emergency)	561,656
Procurement of Weapons and Tracked Combat Vehicles, Army (emerg ncy)	5,393,471
Procur m nt of Ammunition, Army (emergency)	344,900
Other Procurement, Army (emergency)	15,967,340
Aircraft Procurement, Navy (emergency)	3,411,254
Weapons Procurement, Navy (emergency)	317,456
Procurement of Ammunition, Navy and Marine Corps (emergency)	304,945

(Amounts in thousands)

	Bill
Other Procurement, Navy (emergency)	1,260,135
Procurement, Marine Corps (emergency)	2,153,390
Aircraft Procurement, Air Force (emergency)	7,028,563
Missile Procurement, Air Force (emergency)	66,943
Procurement of Ammunition, Air Force (emergency)	205,455
Other Procurement, Air Force (emergency)	1,903,167
Procurement, Defense-Wide (emergency)	408,209
National Guard and Reserve Equipment (emergency)	750,000
Total, Procurement	41,030,995
Research, Development, Test and Evaluation	
Research, Development, Test & Evaluation, Army (emergency)	162,958
Research, Development, Test & Evaluation, Navy (emergency)	366,110
Research, Development, Test & Evaluation, Air Force (emergency)	278,427
Research, Development, Test and Evaluation, Defense-Wide (emergency)	816,598
Total, Research, Development, Test and Evaluation	1,624,093
Revolving and Management Funds	
Defense Working Capital Funds (emergency)	1,837,450
National Defense Sealift Fund (emergency)	5,110
Total, Revolving and Management Funds	1,842,560
Other Department of Defense Programs	
Defense Health Program (emergency)	1,363,864
Operation and maintenance (emergency)	(907,064)
Procurement (emergency)	(91,900)
Research, development, test and evaluation (emergency)	(364,900)
Psychological health & traumatic brain injury (emerg)	75,000
Total, Defense Health Program (emergency)	1,438,864
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	65,317
Office of the Inspector General (emergency)	6,394
Total, Other Department of Defense Programs	1,510,575
General Provisions--Chapter 1	
Special transfer authority (emergency)	(2,500,000)
Defense Cooperation Account (transfer authority) (emergency)	6,500
Rescissions (emergency)	-146,531
Total, General Provisions	-140,031
Total, Chapter 1	96,622,127

Additionally, a number of needs were identified that were not adequately addressed by the Department of Defense. Major initiatives in the recommendation include:

Facilities Sustainment, Restoration and Modernization (FSRM): The recommendation includes an additional $500,000,000 for FSRM at Army and Marine Corps facilities;

Department of Defense Identified Operation & Maintenance Shortfalls: The recommendation includes $3,617,308,000 to address the increasing price of fuel and other petroleum products;

Yellow Ribbon Reintegration Program: The recommendation includes $65,400,000 to support the Yellow Ribbon Reintegration program to help members of the National Guard and Reserve transition from combat to civilian life. The recommendation is summarized as follows:

FY 2008 YELLOW RIBBON

[In thousands of dollars]

Military Personnel:	
Reserve Personnel, Army	5,000
Reserve Personnel, Navy	2,800
Reserve Personnel, Marine Corps	1,300
Reserve Personnel, Air Force	2,000
National Guard Personnel, Army	15,000
National Guard Personnel, Air Force	4,000
Total, Military Personnel	30,100
Operation and Maintenance:	
Operation and Maintenance, Army Reserve	8,300
Operation and Maintenance, Navy Reserve	2,200
Operation and Maintenance, Marine Corps Reserve	1,300
Operation and Maintenance, Air Force Reserve	3,500
Operation and Maintenance, Army National Guard	18,000
Operation and Maintenance, Air National Guard	2,000
Total, Operation and Maintenance	35,300

Contract Management: The recommendation includes $52,000,000 for the Defense Contract Management Agency to hire more than 200 additional contract managers to prevent waste, fraud and abuse in Department of Defense contracting in Iraq and Afghanistan;

Land Warrior: The recommendation includes $102,000,000 to outfit one ''next to deploy'' brigade combat team with Land Warrior equipment sets;

C–17 Procurement: The recommendation includes $3,604,500,000 to procure 15 C–17 aircraft;

C–130 Procurement: The recommendation includes $2,469,700,000 for the procurement of 34 C–130 aircraft including Air Force, Marine Corps and Special Operations variants; and

Department of Defense Identified Acquisition Shortfalls: The recommendation includes over $1,200,000,000 for a variety of military service Joint Urgent Operational Needs identified by the Department of Defense; and

Overall, the recommendations total $96,622,127,000 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 the Global War on Terror.

CLASSIFIED ANNEX

The 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 direction in the classified annex accompanying this Act.

REPORTING REQUIREMENTS

The Secretary of Defense is directed 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 chapter. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this chapter are no longer available for obligation. These reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this chapter 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 chapter. It is expected 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 statement. The Department of Defense is directed to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this chapter.

Additionally, the Department of Defense is directed to submit monthly supplemental execution reports to the congressional defense committees that include the following information by appropriation: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations, and cumulative fiscal year disbursements.

CIVIL SUPPORT RESPONSIBILITIES REPORT

The Secretary of Defense, in consultation with the Secretary of Homeland Security, shall provide a report on the progress of the Department of Defense efforts to plan for and provide support to civil authorities during incidents of national significance as required by sections 1814 and 1815 of Public Law 110–181. The report shall be provided to the Committees on Appropriations and other congressional defense committees no later than 60 days after enactment of this Act. Specifically the report shall provide a projected timeframe for completing the determination of requirements requested in sections 1814 and 1815, milestones for implementation of planning and readiness improvements, and any available information on the Department of Defense's current state of readiness and gaps in readiness for each of the National Planning Scenarios. In addition, the Secretary of Defense shall include in the report an explanation on how the Department's civil support and homeland defense responsibilities are incorporated into the validation and prioritization of the services' equipment requirements.

CONTRACTING

There is concern over the numerous instances of waste, fraud, and abuse that have occurred in Department of Defense contracting activities in support of contingency operations. The Department and the military services did not properly address the necessary personnel, training, and technology requirements over the years, but are now taking steps to improve their capabilities. This recommendation includes additional funds to further many of the initiatives and increased personnel requirements identified by the Department of Defense and outside reviews such as the Gansler report. The recommendation also calls for enhanced reporting requirements to ensure improved oversight over the Iraq and Afghanistan Security Forces Funds, and the Commander's Emergency Response Program. Finally, it provides funding for the Department of Defense Inspector General to improve its antiquated tracking system for the Criminal Investigation Service.

OPERATION ENDURING FREEDOM

The recommendation provides additional resources to aid U.S. military operations in Afghanistan and to strengthen the Afghanistan Security Forces. Afghanistan Security Forces are critical to the stability of Afghanistan and essential to our fight against al Qaeda and other terrorist organizations. To increase our efforts to train and equip these forces, the recommendation funds additional trainers for the Afghan National Army and the Afghan National Police. It also doubles the Commander's Emergency Response Program (CERP) in Afghanistan from fiscal year 2007 levels to address critical small scale humanitarian efforts. Included in this amount are the necessary resources to support the CERP program for the additional Marines in Afghanistan. These and other efforts related to Afghanistan are discussed elsewhere in this report and in the classified annex.

CASE MANAGEMENT AND DISABILITY EVALUATION FOR WOUNDED WARRIORS

The recommendation includes $94,900,000 in the Operation and Maintenance, Defense-Wide; Procurement, Defense-Wide; Research, Development, Test and Evaluation, Defense-Wide; and the Defense Health Program appropriation accounts to address gaps identified by the President's Commission on Care for America's Returning Wounded Warriors. The funding will enable improvements in case management, data sharing, and the disability evaluation system (DES). Additionally, the funding will support the on-going DES Pilot program, information technology development, support for case management, and improvement of Department of Defense and Department of Veterans Affairs data sharing gateways, and distribution of wounded warrior care and benefits informational handbooks.

DEFENSE HEALTH PROGRAM OVERVIEW

The recommendation includes a total appropriation of $1,438,864,000 for the Defense Health Program. This funding will provide medical and dental services to active forces and mobilized Reserve Components, as they support Operation Iraqi Freedom and Operation Enduring Freedom, and their family members. The funding also provides for costs associated with the treatment of combat-related injuries.

The recommendation also provides $293,023,000 for facilities sustainment, restoration and modernization; $1,000,000 for the Center of Excellence for Eye Injuries; $70,000,000 for the Center for Neuroscience and Regenerative Medicine and $47,100,000, in various budget activities for disability evaluation system and case management.

FUNDING FOR RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Research, Development, Test and Evaluation has historically not been funded in large amounts in emergency supplemental appropriations. Generally, funding has been provided for items that have been funded in prior supplemental appropriations, or that can be developed and fielded in a timely manner to impact the Global War on Terror.

MILITARY PERSONNEL

An appropriation of $17,553,599,000 is recommended for Military Personnel. The recommendations for each military personnel account are shown below:

[In thousands of dollars]

Account	Recommendation
MILITARY PERSONNEL, ARMY	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	1,142,768
RETIRED PAY ACCRUAL	230,280
BASIC ALLOWANCE FOR HOUSING	286,673
BASIC ALLOWANCE FOR SUBSISTENCE	38,324
SPECIAL PAYS	517,490
SOCIAL SECURITY TAX	87,416
TOTAL, BUDGET ACTIVITY 1	2,302,951
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	2,747,209
RETIRED PAY ACCRUAL	598,216
BASIC ALLOWANCE FOR HOUSING	902,271
SPECIAL PAYS	2,507,642
SOCIAL SECURITY TAX	210,161
TOTAL, BUDGET ACTIVITY 2	6,965,499
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	300,904
SUBSISTENCE-IN-KIND	1,365,832
TOTAL, BUDGET ACTIVITY 4	1,666,736
ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL	
ACCESSION TRAVEL	11,472
TRAINING TRAVEL	9,537
OPERATIONAL TRAVEL	101,482
ROTATIONAL TRAVEL	126,759
SEPARATION TRAVEL	14,826
TRAVEL OF ORGANIZED UNITS	1,344
TOTAL, BUDGET ACTIVITY 5	265,420
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
INTEREST ON SOLDIERS DEPOSITS	21,780
RESERVE INCOME REPLACEMENT PROGRAM	8,200
UNEMPLOYMENT COMPENSATION	142,364
DEATH GRATUITIES	72,900
SGLI EXTRA HAZARD PAYMENTS	116,805
TOTAL, BUDGET ACTIVITY 6	362,049
UNDISTRIBUTED ADJUSTMENTS	
ACCELERATION OF GROW THE FORCE	100,000
CHANGE IN RESERVE AND GUARD MOBILIZATION LEVELS	-101,000
YEAR OF EXECUTION/RATE CHANGES	246,000
TOTAL, UNDISTRIBUTED ADJUSTMENTS	245,000
TOTAL, MILITARY PERSONNEL, ARMY	11,807,655

[In thousands of dollars]

Account	Recommendation
MILITARY PERSONNEL, NAVY	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	119,911
RETIRED PAY ACCRUAL	22,902
BASIC ALLOWANCE FOR HOUSING	32,930
BASIC ALLOWANCE FOR SUBSISTENCE	3,663
SPECIAL PAYS	31,433
SOCIAL SECURITY TAX	9,173
TOTAL, BUDGET ACTIVITY 1	220,012
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	139,495
RETIRED PAY ACCRUAL	26,643
BASIC ALLOWANCE FOR HOUSING	60,550
SPECIAL PAYS	132,692
SOCIAL SECURITY TAX	10,671
TOTAL, BUDGET ACTIVITY 2	370,051
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	14,855
SUBSISTENCE-IN-KIND	14,727
TOTAL, BUDGET ACTIVITY 4	29,582
ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL	
ACCESSION TRAVEL	7,291
OPERATIONAL TRAVEL	12,660
ROTATIONAL TRAVEL	14,073
SEPARATION TRAVEL	5,724
TOTAL, BUDGET ACTIVITY 5	39,748
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
RESERVE INCOME REPLACEMENT PROGRAM	3,000
UNEMPLOYMENT COMPENSATION	28,200
DEATH GRATUITIES	1,500
SGLI EXTRA HAZARD PAYMENTS	10,060
TOTAL, BUDGET ACTIVITY 6	42,760
UNDISTRIBUTED ADJUSTMENTS	
CHANGE IN RESERVE MOBILIZATION LEVELS	21,600
YEAR OF EXECUTION/RATE CHANGES	143,000
TOTAL, UNDISTRIBUTED ADJUSTMENTS	164,600
TOTAL, MILITARY PERSONNEL, NAVY	866,753

[In thousands of dollars]

Account	Recommendation
MILITARY PERSONNEL, MARINE CORPS	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	197,261
RETIRED PAY ACCRUAL	45,947
BASIC ALLOWANCE FOR HOUSING	64,464
BASIC ALLOWANCE FOR SUBSISTENCE	7,260
SPECIAL PAYS	33,269
SOCIAL SECURITY TAX	15,089
TOTAL, BUDGET ACTIVITY 1	363,290
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	487,327
RETIRED PAY ACCRUAL	116,280
BASIC ALLOWANCE FOR HOUSING	121,093
SPECIAL PAYS	552,658
SOCIAL SECURITY TAX	37,281
TOTAL, BUDGET ACTIVITY 2	1,314,639
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	53,848
TOTAL, BUDGET ACTIVITY 4	53,848
ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL	
ACCESSION TRAVEL	3,583
OPERATIONAL TRAVEL	50,195
TOTAL, BUDGET ACTIVITY 5	53,778
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
UNEMPLOYMENT COMPENSATION	500
DEATH GRATUITIES	23,700
SGLI EXTRA HAZARD PAYMENTS	20,616
TOTAL, BUDGET ACTIVITY 6	44,816
UNDISTRIBUTED ADJUSTMENTS	
ACCELERATION OF GROW THE FORCE	93,600
CHANGE IN RESERVE MOBILIZATION LEVELS	-103,400
TOTAL, UNDISTRIBUTED ADJUSTMENTS	-9,800
TOTAL, MILITARY PERSONNEL, MARINE CORPS	1,820,571
MILITARY PERSONNEL, AIR FORCE	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	187,704
RETIRED PAY ACCRUAL	35,851
BASIC ALLOWANCE FOR HOUSING	56,600
BASIC ALLOWANCE FOR SUBSISTENCE	6,416
SPECIAL PAYS	27,247
SOCIAL SECURITY TAX	14,359
TOTAL, BUDGET ACTIVITY 1	328,177

[In thousands of dollars]

Account	R commendation
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	468,692
RETIRED PAY ACCRUAL	89,520
BASIC ALLOWANCE FOR HOUSING	127,850
SPECIAL PAYS	86,304
SOCIAL SECURITY TAX	35,855
TOTAL, BUDGET ACTIVITY 2	808,221
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	35,749
SUBSISTENCE-IN-KIND	68,793
TOTAL, BUDGET ACTIVITY 4	104,542
ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL	
OPERATIONAL TRAVEL	5,621
TOTAL, BUDGET ACTIVITY 5	5,621
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
UNEMPLOYMENT COMPENSATION	16,200
DEATH GRATUITIES	2,200
SGLI EXTRA HAZARD PAYMENTS	21,192
TOTAL, BUDGET ACTIVITY 6	39,592
TOTAL, MILITARY PERSONNEL, AIR FORCE	1,286,153
RESERVE PERSONNEL, ARMY	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
SCHOOL TRAINING	56,100
SPECIAL TRAINING	56,400
RECRUITING AND RETENTION	186,700
YELLOW RIBBON REINTEGRATION PROGRAM	5,000
TOTAL, BUDGET ACTIVITY 1	304,200
TOTAL, RESERVE PERSONNEL, ARMY	304,200
RESERVE PERSONNEL, NAVY	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/28)	35,000
SPECIAL TRAINING	22,000
SCHOOL TRAINING	13,000
YELLOW RIBBON REINTEGRATION PROGRAM	2,800
TOTAL, BUDGET ACTIVITY 1	72,800
TOTAL, RESERVE PERSONNEL, NAVY	72,800

[In thousands of d llars]

Account	R comm ndation
RESERVE PERSONNEL, MARINE CORPS	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
SCHOOL TRAINING	15,420
YELLOW RIBBON REINTEGRATION PROGRAM	1,300
TOTAL, BUDGET ACTIVITY 1	16,720
TOTAL, RESERVE PERSONNEL, MARINE CORPS	16,720
RESERVE PERSONNEL, AIR FORCE	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
SPECIAL TRAINING	3,000
YELLOW RIBBON REINTEGRATION PROGRAM	2,000
TOTAL, BUDGET ACTIVITY 1	5,000
TOTAL, RESERVE PERSONNEL, AIR FORCE	5,000
NATIONAL GUARD PERSONNEL, ARMY	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/28)	124,400
SPECIAL TRAINING	190,298
SCHOOL TRAINING	441,663
ADMINISTRATION AND SUPPORT	380,386
RECRUITING EFFORTS	75,000
RETENTION EFFORTS	143,000
YELLOW RIBBON REINTEGRATION PROGRAM	15,000
TOTAL, BUDGET ACTIVITY 1	1,369,747
TOTAL, NATIONAL GUARD PERSONNEL, ARMY	1,369,747
NATIONAL GUARD PERSONNEL, AIR FORCE	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
YELLOW RIBBON REINTEGRATION PROGRAM	4,000
TOTAL, BUDGET ACTIVITY 1	4,000
TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	4,000

GROW THE FORCE

The recommendation includes funding to support the Army and Marine Corps plans to grow their end strength in an effort to better sustain operational tempo and relieve strain on current units.

WOUNDED WARRIOR PROGRAMS

The recommendation fully funds the identified requirements for enhanced Traumatic Servicemembers' Group Life Insurance (TSGLI) benefits and wounded service members' separation pay, and provides additional funding for health care professional bonuses to support the recruitment of additional medical personnel.

COST AND RATE INCREASES

The recommendation includes funding for recent increases for Basic Allowance for Housing, Basic Allowance for Subsistence, Permanent Change of Station, Unemployment Compensation, and Cost of Living Adjustments.

OPERATION AND MAINTENANCE

An appropriation of $33,200,336,000 is recommended for Operation and Maintenance.

The recommendations for each operation and maintenance account are shown below:

[In thousands of dollars]

Account	Recommendation
OPERATION & MAINTENANCE, ARMY	
MANEUVER UNITS	28,089
MODULAR SUPPORT BRIGADES	1,315
ECHELONS ABOVE BRIGADE	29,670
THEATER LEVEL ASSETS	24,466
LAND FORCES OPERATIONS SUPPORT	916
AVIATION ASSETS	59,466
FORCE READINESS OPERATIONS SUPPORT	16,257
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	408,000
BASE OPERATIONS SUPPORT	41,282
ADDITIONAL ACTIVITIES	14,551,866
COMMANDER'S EMERGENCY RESPONSE PROGRAM	1,026,841
FLIGHT TRAINING	33,214
SUBTOTAL BA-1	16,221,382
SECURITY PROGRAMS	102,130
SERVICEWIDE TRANSPORTATION	700,000
SUBTOTAL BA-4	802,130
CONTRACT EFFICIENCIES	-300,000
UNDISTRIBUTED REDUCTION	-380,000
TOTAL, OPERATION AND MAINTENANCE, ARMY	16,343,512
OPERATION & MAINTENANCE, NAVY	
MISSION AND OTHER FLIGHT OPERATIONS	753,193
FLEET AIR TRAINING	81,238
AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,221
AIR OPERATIONS AND SAFETY SUPPORT	26,586
AIR SYSTEMS SUPPORT	11,279
AIRCRAFT DEPOT MAINTENANCE	118,287
MISSION AND OTHER SHIP OPERATIONS	568,841
SHIP OPERATIONS SUPPORT & TRAINING	4,134
SHIP DEPOT MAINTENANCE	219,268
SHIP DEPOT OPERATIONS SUPPORT	11,618
COMBAT COMMUNICATIONS	4,839
ELECTRONIC WARFARE	4,262
SPACE SYSTEMS AND SURVEILLANCE	12
WARFARE TACTICS	5,657
OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	774
COMBAT SUPPORT FORCES	573,811
EQUIPMENT MAINTENANCE	23,470
IN-SERVICE WEAPONS SYSTEMS SUPPORT	13,500
WEAPONS MAINTENANCE	28,162
OTHER WEAPON SYSTEMS SUPPORT	1,058
SUSTAINMENT, RESTORATION AND MODERNIZATION	2,912
BASE OPERATING SUPPORT	193,072
SUBTOTAL BA-1	2,647,194
SHIP PREPOSITIONING AND SURGE	94,140
FLEET HOSPITAL PROGRAM	7
SUBTOTAL BA-2	94,147

[In thousands of dollars]

Account	Recommendation
OFFICER ACQUISITION	136
SPECIALIZED SKILL TRAINING	35,340
FLIGHT TRAINING	24,003
RECRUITING AND ADVERTISING	3,887
SUBTOTAL BA-3	63,366
ADMINISTRATION	1,422
EXTERNAL RELATIONS	139
MILITARY MANPOWER AND PERSONNEL MANAGEMENT	523
OTHER PERSONNEL SUPPORT	2,544
SERVICEWIDE COMMUNICATIONS	11,566
SERVICEWIDE TRANSPORTATION	6,985
ACQUISITION AND PROGRAM MANAGEMENT	540
COMBAT/WEAPONS SYSTEMS	155
NAVAL INVESTIGATIVE SERVICE	4,081
SUBTOTAL BA-4	27,955
OTHER PROGRAMS	32,595
COAST GUARD SUPPORT	112,607
CONTRACT EFFICIENCIES	-25,000
TOTAL, OPERATIONS & MAINTENANCE, NAVY	2,952,864
OPERATION & MAINTENANCE, MARINE CORPS	
OPERATIONAL FORCES	104,772
MARITIME PREPOSITIONING	2
SUSTAINMENT, RESTORATION, & MODERNIZATION	46,040
BASE OPERATING SUPPORT	6,787
SUBTOTAL BA-1	157,601
RECRUIT TRAINING	333
OFFICER ACQUISITION	7
SPECIALIZED SKILL TRAINING	88
TRAINING SUPPORT	1,293
BASE OPERATING SUPPORT	578
SUBTOTAL BA-3	2,299
TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	159,900
OPERATION & MAINTENANCE, AIR FORCE	
OPERATION & MAINTENANCE, AIR FORCE	1,620,673
PRIMARY COMBAT FORCES	9,309
COMBAT ENHANCEMENT FORCES	72,599
AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	10,992
COMBAT COMMUNICATIONS	576,665
DEPOT MAINTENANCE	190,117
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	72,424
BASE SUPPORT	860,101

[In thousands of dollars]

Account	Recommendation
NAVIGATION/WEATHER SUPPORT	2,160
OTHER COMBAT OPS SPT PROGRAMS	64,297
MANAGEMENT/OPERATIONAL HQ	66,518
TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	666
LAUNCH VEHICLES	4
BASE SUPPORT	2,583
SUBTOTAL BA-1	3,549,108
AIRLIFT OPERATIONS	1,843,258
DEPOT MAINTENANCE	63,772
BASE SUPPORT	67,530
SUBTOTAL BA-2	1,974,560
BASE SUPPORT	1,229
SPECIALIZED SKILL TRAINING	98,851
FLIGHT TRAINING	60,135
PROFESSIONAL DEVELOPMENT EDUCATION	174
TRAINING SUPPORT	966
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,414
BASE SUPPORT	6,767
RECRUITING AND ADVERTISING	50
SUBTOTAL BA-3	170,586
LOGISTICS OPERATIONS	72,179
BASE SUPPORT	5,027
OTHER SERVICEWIDE ACTIVITIES	8,129
OTHER PERSONNEL SUPPORT	1,455
SECURITY PROGRAMS	170,431
INTERNATIONAL SUPPORT	21,045
SUBTOTAL BA-4	278,266
CONTRACT EFFICIENCIES	-50,000
TOTAL, OPERATION & MAINTENANCE, AIR FORCE	5,922,520
OPERATION & MAINTENANCE, DEFENSE-WIDE	
JOINT CHIEFS OF STAFF	26,216
SPECIAL OPERATIONS COMMAND	760,811
SUBTOTAL BA-1	787,027
AMERICAN FORCES INFORMATION SERVICE	7,109
DEFENSE CONTRACT AUDIT AGENCY	8,245
DEFENSE INFORMATION SYSTEMS AGENCY	106,078
DEFENSE LOGISTICS AGENCY	105,815
DEFENSE THREAT REDUCTION AGENCY	2,636
DEPARTMENT OF DEFENSE EDUCATION AGENCY	196,927
DOD HUMAN RESOURCES ACTIVITY	36,670
DEFENSE CONTRACT MANAGEMENT AGENCY	52,000

[In thousands of dollars]

Account	Recommendation
DEFENSE LEGAL SERVICES AGENCY (DLSA)	12,962
DEFENSE SECURITY COOPERATION AGENCY (DSCA)	950,000
OFFICE OF THE SECRETARY OF DEFENSE	27,322
WASHINGTON HEADQUARTERS SERVICES (WHS)	7,210
OTHER PROGRAMS	1,087,561
SUBTOTAL BA-4	2,600,535
TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	3,387,562
OPERATION & MAINTENANCE, ARMY RESERVE	
AVIATION ASSETS	37,581
ADDITIONAL ACTIVITIES	127,258
TOTAL, OPERATION & MAINTENANCE, ARMY RESERVE	164,839
OPERATION & MAINTENANCE, NAVY RESERVE	
MISSION AND OTHER FLIGHT OPERATIONS	91,495
INTERMEDIATE MAINTENANCE	48
MISSION AND OTHER SHIP OPERATIONS	6,388
COMBAT COMMUNICATIONS	3,354
COMBAT SUPPORT FORCES	8,372
BASE OPERATING SUPPORT (BOS)	219
TOTAL, OPERATION & MAINTENANCE, NAVY RESERVE	109,876
OPERATION & MAINTENANCE, MARINE CORPS RESERVE	
OPERATING FORCES	23,149
TRAINING SUPPORT	950
BASE OPERATING SUPPORT	157
FACILITIES, SUSTAINMENT, RESTORATION & MODERNIZATION	46,000
TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE	70,256
OPERATION & MAINTENANCE, AIR FORCE RESERVE	
PRIMARY COMBAT FORCES	165,994
TOTAL, OPERATION & MAINTENANCE, AIR FORCE RESERVE	165,994
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	
AVIATION ASSETS	102,394
ADDITIONAL ACTIVITIES	583,250
TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	685,644

[In thousands of dollars]

Account	Recommendation
OPERATION & MAINTENANCE, AIR NATIONAL GUARD	
AIRCRAFT OPERATIONS	
MISSION SUPPORT OPERATIONS	287,369
TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD	287,369
IRAQ FREEDOM FUND	50,000
AFGHANISTAN SECURITY FORCES FUND	
MINISTRY OF DEFENSE (MOD) EQUIPMENT AND TRANSPORTATION	54,326
MOD TRAINING	71,182
MOD SUSTAINMENT	513,515
MINISTRY OF INTERIOR (MOI) EQUIPMENT AND TRANSPORTATION	67,328
MOI TRAINING	422,509
MOI SUSTAINMENT	271,140
TOTAL, AFGHANISTAN SECURITY FORCES FUND	1,400,000
IRAQ SECURITY FORCES FUND	
MINISTRY OF DEFENSE (MOD) EQUIPMENT AND TRANSPORTATION	522,500
MOD TRAINING	66,400
MOD SUSTAINMENT	154,700
MINISTRY OF INTERIOR (MOI) EQUIPMENT AND TRANSPORTATION	332,000
MOI TRAINING	185,000
MOI SUSTAINMENT	86,000
RELATED ACTIVITIES	153,400
TOTAL, IRAQ SECURITY FORCES FUND	1,500,000

COMMANDER'S EMERGENCY RESPONSE PROGRAM

The recommendation includes $1,026,841,000 for the Commander's Emergency Response Program (CERP). Included in this amount is $479,900,000 for CERP in Afghanistan and $2,000,000 to support our ongoing efforts in the Global War on Terror in the Philippines. Small scale, humanitarian projects led by the Joint Interagency Task Force—Philippines should have a tremendous impact on combating the spread of terrorist cells in the Philippines. However, the provision of these funds does not represent an invitation to expand CERP beyond its current mission and application.

CERP projects are also currently benefiting the 2.7 million internally-displaced Iraqis. The Iraqi government should devote more of its own resources to returning them to their homes, or resettling them permanently in functioning communities. However, recognizing that CERP is an effective tool for meeting urgent humanitarian needs, the Secretary of Defense is urged to encourage commanders to give priority to humanitarian and reconstruction projects that respond to the needs of internally-displaced Iraqis who have settled in their area of responsibility.

CERP has proven beneficial to both U.S. commanders and the Iraqi people, but there is concern over the Department's growing requests for these funds. Since its inception in 2004, this program has grown exponentially, from $180,000,000 in fiscal year 2004 to $956,400,000 in fiscal year 2007. Congress provided $500,000,000 in the fiscal year 2008 supplemental bridge appropriation but the Department is obligating funds for this program at a rate that would exceed the authorized level of $977,441,000 before the end of the fiscal year.

While there is a need to maintain commanders' flexibility and control in administering CERP funds, there is concern that, in the absence of any minimum standards for project monitoring or specific performance indicators, commanders exercise varying levels of oversight and typically compile only anecdotal evidence on the impact of projects. Furthermore, CERP funds are administered at the battalion level, often by troops whose Military Operational Specialty has little or no connection to program or acquisition management. The limited information provided to Congress about CERP projects makes it difficult to conduct thorough oversight over how this program is administered, what its actual impact is on the Iraqi people, and how it fits into our overall strategy for Iraq.

To provide Congress sufficient visibility over the use of funding provided for CERP, the Department is directed to: (1) establish minimum guidelines for commanders to follow in monitoring project status and performance indicators to assess the impact of CERP projects, (2) provide more complete information in its quarterly reports to Congress, including: listings of projects by province; project status, such as completed and being used, completed but not sustained, destroyed, vandalized, or not found; the source of each individual initiative, whether it was generated by a local national or the command; the name of the authority or organization who serves as the primary local partner for each project; and the number of local citizens who will benefit from the project, including the number who will be employed in implementing it, and if it directly benefits internally-displaced Iraqis. In addition, the report should include information on the nature of the Government of Iraq's commitment to sustain projects requiring government support, and on the impact of CERP projects, individually and collectively, in assisting the U.S. to carry out its strategy in Iraq.

So Congress may better understand how troops are trained to administer CERP funds, the Secretary of Defense is directed to submit to the congressional defense committees, within 45 days of enactment of this Act, a detailed report on the training provided to troops authorized to manage or disperse CERP funds. The report should include the duration of the training, its primary objectives, and a syllabus of the training course.

For greater clarity on how commanders incorporate the use of CERP funds into their operational planning, the Secretary of Defense is directed to provide a report to the congressional defense committees, no later than September 4, 2008, on operational planning for the use of CERP. The report should include plans from each of the current Multinational Division (MND) commands in Iraq and each of the current Task Force commands in Afghanistan, to include information on the criteria used for prioritizing individual CERP projects and how the use of CERP funds is intended to advance the tactical and strategic objectives.

CONTRACT SERVICES

The continued lack of transparency and accountability with regard to contracts and contractors serving in both theaters of operation (Iraq and Afghanistan) is concerning. The Department of Defense has indicated a need for approximately $40,000,000,000 of operation and maintenance funding for contracted services in this supplemental appropriation. This includes $6,000,000,000 for the Army-managed Logistics Civil Augmentation Program (LOGCAP), which provides for a spectrum of services to include power generation, management of facilities, dining operations, latrines, water systems, fire protection and laundry services. Approximately $5,400,000,000 was expended by the Army on LOGCAP contracts in 2007. Within 90 days of enactment of this Act, the Secretary of Defense is directed to submit a comprehensive report to the House and the Senate Committees on Appropriations that provides the following information for each existing operations and maintenance contract in excess of $1,000,000:

— contractor name;
— amount;
— purpose;
— start and end date;
— type of contract; and
— amount of awards per fiscal year, if applicable.

This report should also identify the Department of Defense organization responsible for oversight of the contracts and should reflect the type of services provided, such as vehicle maintenance, food service, security, information technology support, reconstruction, analysis, and other relevant information.

This report should also include a discussion of the roles and responsibilities of the following organizations and how they work collaboratively to ensure appropriate contract oversight in theaters of operation for Iraq and Afghanistan:

— LOGCAP;
— AFCAP;
— Defense Reconstruction Support Office;
— Joint Contracting Command Iraq/Afghanistan;
— Deputy Assistant Secretary—Army (Policy and Procurement)—Iraq and Afghanistan; and
— Project and Contracting Office, Washington.

Further, the report should include the number of Department of Defense military and federal civilian personnel assigned to each of these offices, the number of contractors assigned to each office and the roles the contractors perform. As part of this report, should the Department of Defense determine that it has insufficient in-house capability to effectively monitor these contracts, it should then develop a robust staffing proposal and submit it to the House and the Senate Committees on Appropriations for consideration in the fiscal year 2009 Defense Appropriations Act. The report shall be submitted in unclassified form, but may contain a classified annex.

The recommendation includes contract service efficiencies in the amount of $375,000,000 as follows: Army $300,000,000; Navy $25,000,000 and Air Force $50,000,000.

SUBSISTENCE CONTRACTS

The Army requested $987,000,000 to fund purchases of subsistence items in support of Department of Defense civilian employees and contractors deployed to the Iraq and Afghanistan areas of operations. This also includes subsistence that is provided to these individuals within the Department of Defense dining facilities.

The Army estimates that 5,000 Department of Defense civilians and 73,000 contractor personnel constitute the population of ''Department of Defense authorized personnel''. This is an average cost for subsistence of nearly $13,000 per individual per year.

There are significant unanswered questions regarding the management of this overall process, as well as the absence of appropriate internal control procedures. For example, how the Department manages access to the dining facilities; the number of civilian employees and contractors who dine in Department of Defense dining facilities; why the cost per person is so high; and the number of contractors and subcontractors who provide subsistence to the Department of Defense in this theater of operations.

Based on these unresolved issues, the recommendation includes a ten percent reduction to the nearly $1,000,000,000 request for this program to encourage better management and accountability of subsistence funds. Currently the Department's Cost of War Report does not account for obligation of funds for subsistence. The Secretary of Defense is directed to, within 90 days of enactment of this Act, submit a comprehensive report to the Committees on Appropriations of the House and the Senate which: 1) Identifies the number of contractors dining in the Department of Defense facilities in and around the Iraq and Afghanistan theaters of operations and a description of the method for charging the subsistence cost back to the contractor; 2) Lists the total cost and the cost elements in the prior and current years for subsistence for Department of Defense civilians and contractors deployed to the Iraq and Afghanistan areas of operations and dining in Department of Defense facilities; 3) Cites the Department's policy on the movement of freight in general and subsistence items specifically in and around the Iraq and Afghanistan theaters of operation; the method for ensuring the best value subsistence contracts are awarded; and describes the method for ensuring the most fuel efficient and effective mode of transportation is used; 4) Identifies the number of contractors and subcontractors supplying subsistence items to contractors and civilians deployed to the Iraq and Afghanistan areas of operations (by location); the number and types of subsistence contracts from local vendors in Iraq and Afghanistan, and the method and factors used to determine local vs. non local purchase of these items in and around the Iraq and Afghanistan theaters of operation; and 5) Provides the Department's policy on access to dining facilities in the theaters of operations and associated internal control procedures.

DEPARTMENT OF DEFENSE PUBLIC-PRIVATE COMPETITIONS

The Office of Management and Budget's (OMB) influence over the Department of Defense's public-private competitions is concerning. Section 325 of the 2008 National Defense Authorization Act (Public Law 110–181) prohibits OMB from directing or requiring any initiation, continuation, or completion of a public-private competition or the Department taking action based on such an OMB direction or requirement. Questions have been raised as to whether this provision is being implemented. If OMB continues to influence public-private competitions and contracting out of federal employees at the Department of Defense stronger provisions may be warranted.

SUPPORT TO GLOBAL REPOSITIONING OF GROUND FORCES

The impact to the Army and Marine Corps of rebasing activities, particularly as large numbers of service members return from overseas bases to the Continental United States (CONUS), must be addressed. The recommendation provides $408,000,000 to the Army's Facilities Sustainment, Restoration, and Modernization program and $92,000,000 to the Marine Corps' Facilities Sustainment, Restoration, and Modernization program to offset the growing infrastructure costs associated with the global repositioning of forces. These funds will be used to repair barracks, improve child care facilities, and enhance community services at Army and Marine Corps bases throughout the United States.

OPERATING TEMPO

The supplemental funding requested in the operation and maintenance accounts is largely a function of anticipating operating tempo for continuation of military operations in Afghanistan and Iraq through September 2008. The actual operating tempo in fiscal years 2007 and 2008 has differed from the estimated levels. Therefore, the recommendation provides operation and maintenance funding to account for the actual operating tempo.

DIRECTED REPROGRAMMING

The recommendation directs a reprogramming of funds totaling $380,000,000 from substantial unobligated balances in Department of Defense investment accounts to otherwise unfunded operation and maintenance requirements in support of Iraq and the Global War on Terror.

THE JOINT STAFF

The recommendation includes no funding for the Combating Terrorism Readiness Fund because the requirement was funded through the Department of Defense Appropriations Act, 2008 (Public Law 110–116).

SPECIAL OPERATIONS COMMAND INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE (ISR) ACCELERATION

The recommendation includes an additional $76,450,000 in Operation and Maintenance, Defense-wide to accelerate the fielding of ISR capabilities to Special Operations Command for use in missions pertaining to high value targets. The Secretary of Defense is urged to include sustainment costs for these items in future budget requests.

DEFENSE LOGISTICS AGENCY: LITHIUM BATTERIES SUPPLIES

Primary lithium batteries have been and remain a critical consumable warfighting asset for our military. A reliable and sustainable U.S. manufacturing source for these supplies is critical to maintaining the full warfighting capability of our military forces. The Defense Logistics Agency is encouraged to take the necessary actions to ensure that at least one supplier of LiSO2 batteries and one supplier of LiMnO2 batteries continue manufacturing in the U.S. with a reasonable sustaining rate of production.

DEFENSE THREAT REDUCTION AGENCY

The recommendation includes no funding for NIMBLE ELDER because the requirement was funded through the Department of Defense Appropriations Act, 2008 (Public Law 110–116).

FAMILY ADVOCACY PROGRAM

The recommendation includes $50,000,000 for family advocacy programs to provide counseling and family assistance including child psychologists, Parents as Teachers and other intervention efforts. This funding will enhance the activities of the Family Advocacy Program (FAP) and provide for children and families managing the difficult challenges of military service. There is concern about the growing need for family members to have access to professional counseling to help alleviate the mental stresses associated with deployments. These activities provide programs, products and services to help mitigate the disruption and stress in the military family when a service member is deployed, killed or seriously wounded.

DEFENSE HUMAN RESOURCES ACTIVITY

The recommendation includes no funding for Homeland Security Presidential Directive 12 because the requirement was funded through the Department of Defense Appropriations Act, 2008 (Public Law 110–116).

DEFENSE SECURITY COOPERATION AGENCY

The recommendation includes $600,000,000 for coalition support funds and $200,000,000 for lift and sustainment in Iraq and Afghanistan. It also includes an additional $150,000,000 for the Global Train and Equip Program. The Department of State is tasked to train and equip allied nations for counterterrorism operations, yet the Department of Defense continues to request funds to augment these efforts due to the Global War on Terror. Training allied nations is primarily the responsibility of the Department of State. As such, the Administration is urged to request the appropriate level of funding for the Global Train and Equip Program entirely within the Department of State in the next fiscal year.

OFFICE OF THE SECRETARY OF DEFENSE

There is deep concern over the waste, fraud, and abuse that has occurred in the Department's contracting activities that support contingency operations overseas. The Office of the Undersecretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)) is tasked with contractor oversight in forward areas of operations. In an effort to further many of the initiatives developed by USD(AT&L), the recommendation includes additional resources to fully fund these requirements, including: $8,000,000 for the Synchronized Predeployment and Operational Tracker (SPOT), $2,500,000 for the Joint Contingency Contract Support Office (JCCSO), $2,000,000 for Military Non Contracting Officer Training, and $400,000 for the Materiel Readiness Board (MRB). The recommendation also includes $3,000,000 for the Wartime Contracting Commission, established by the National Defense Authorization Act for Fiscal Year 2008 (P.L. 110-181), and directs that $1,200,000 would be available for the WMD Commission.

IRAQ FREEDOM FUND

The recommendation includes $50,000,000 for the Iraq Freedom Fund only for the Task Force to Improve Business and Stability Operations—Iraq to execute the Factory Restart Program.

AFGHANISTAN AND IRAQ SECURITY FORCES

Reprogramming: The Department of Defense has been provided significant flexibility in executing this program in the past but new reprogramming procedures are required at this juncture. With respect to the Iraq Security Forces Fund and the Afghanistan Security Forces Fund, the Department is directed to submit prior approval reprogramming requests to the congressional defense committees for proposed transfers of funds in excess of $20,000,000, to the Infrastructure subactivity groups or other construction related projects.

Infrastructure: The Department of Defense is directed to provide the congressional defense committees with a detailed report by August 1, 2008 on current and future infrastructure requirements for the Iraq and Afghanistan Security Forces. The report shall detail all infrastructure projects that have been previously funded, projects that are planned, and projects that require future funding from either the U.S. or the Governments of Iraq or Afghanistan. The projects shall be broken out by Ministry of Defense and Ministry of Interior requirements, year or projected year of funding, source of funding, and current status of project.

Logistics: The Iraq Security forces will not be able to operate independent of coalition support unless they have an organic logistics capability of their own. The Department of Defense is directed to provide the congressional defense committees with a report no later than 30 days after enactment of this Act, on the plan for an independent logistics capability within the Iraq Security Forces. The plan should address required support facilities at the national, regional, and base levels, motor transport capabilities, life support self sufficiency, logistics training, mechanics training, ammunition re-supply (decentralization, distribution, and security), fuel (decentralization, distribution, and security), medical supply and services, and depot warehousing, maintenance, and capacity. The report should also include a resource plan to reach these goals.

Trainers: There is deep concern that the Department of Defense has only been able to resource 44% of the required trainers for the Afghan National Army and only 39% for the Afghan National Police. While progress is being made on training and equipping these forces, the shortfall of capable trainers severely hampers our ability to further this momentum. There are enormous demands for this low density skill to support this mission, and the recommendation provides the Department $50,000,000 for additional contract personnel to address this shortfall, including: $25,000,000 for the training of the Afghanistan National Army for mentors at the corps and brigade levels for intelligence, communications, operations, and force protection, for contract mobile training teams, and for contract Counter Insurgency Academy instructors; and $25,000,000 for the training of the Afghanistan National Police to include contract logistics system mentors, and contractors for the Afghanistan National Police National Training Center.

PISTOLS FOR AFGHAN ARMY AND AFGHAN NATIONAL POLICE

Poor quality pistols were provided to the Afghan National Police and the Afghan National Army in 2005 and 2006. While they have no record of manufacturing defects in service, the 5,000 pistols purchased for the Afghan National Army, and the 51,175 purchased for the Afghan National Police, under the U.S. Foreign Military Sales program, through the U.S. Army Security Assistance Command, lack important features desired in a quality service pistol. A key missing feature is a positive external safety mechanism, although the pistol does have a trigger safety. It appears that there were two prominent motivations for selection of the current

9mm pistol. The first was cost, and for the Afghan National police, the second key consideration was the fact that the pistol already was in service with the Afghan National Army. Based on concerns expressed by U.S. trainers, ongoing procurements of pistols under 2007 and 2008 contracts are delivering a pistol manufactured with the desired features that were lacking in the pistols procured in 2005 and 2006. Future purchases will be made by competitive bid and the requirements will specify features consistent with the U.S. M9 service pistol. The government agencies of the United States and Afghanistan are commended for having made these appropriate adjustments in the acquisition of pistols for the Afghan National Army and Afghan National Police. They are cautioned that haste and incomplete definition of requirements, and inadequate testing, can lead to acquisition of military equipment that once in use by the military may prove to be inadequate in performance, reliability and safety. Finally, the Department of Defense and the Department of State are urged to work cooperatively to ensure that programs for the provision of equipment to the Afghan National Army and Afghan National Police employ rigorous requirements definition and disciplined contracting procedures, and that the Secretary of Defense initiate a review of the utility of pistols provided to the Afghan National Army and Afghan National Police under U.S. Foreign Military Sales transactions and assist where necessary in the replacement and demilitarization of inferior pistols.

PROCUREMENT

An appropriation of $41,030,995,000 is recommended for Procurement. The recommendations for each procurement account are shown below:

[In thousands of dollars]

Account	Recommendation
AIRCRAFT PROCUREMENT, ARMY	
UTILITY FIXED WING CARGO AIRCRAFT	7,500
GUARDRAIL MODS (TIARA)	33,000
ARL MODS (TIARA) (Note: Includes $3,000,000 for Airborne ISR Sensor Reset)	28,000
AH-64 MODS	70,000
CH-47 CARGO HELICOPTER MODS	311,107
UH-60 MODS (Note: Includes $30,000,000 for A to L Initiative, and $14,650,000 for Aircraft Safety Enhancements)	44,650
KIOWA WARRIOR	38,000
ASE INFRARED CM	403,535
COMMON GROUND EQUIPMENT	356
AIRCREW INTEGRATED SYSTEMS	10,200
AIR TRAFFIC CONTROL	7,763
TOTAL, AIRCRAFT PROCUREMENT, ARMY	954,111
MISSILE PROCUREMENT, ARMY	
HELLFIRE MSL (BASIC/IHW/HFII)	228,426
JAVELIN	121,210
GUIDED MLRS ROCKET (GMLRS)	67,200
ARMY TACTICAL MISSILE SYSTEM (ATACMS) BLK IA (Note: Funds 84 unitary missiles)	92,000
PATRIOT MODS	25,000
ITAS/TOW MODIFICATIONS	27,820
TOTAL, MISSILE PROCUREMENT, ARMY	561,656
PROCUREMENT OF W&TCV, ARMY	
BRADLEY BASE SUSTAINMENT	921,000
STRYKER VEHICLE	1,989,581
FIST VEHICLE (MOD)	65,000
BRADLEY FIGHTING VEHICLE SYSTEMS SERIES (MOD)	84,900
HOWITZER, MED SP FT 155MM M109A6 (MOD)	41,211
M1 ABRAMS TANK (MOD)	388,585
HOWITZER, LIGHT, TOWED, 105MM, M119	17,600
IMPROVED RECOVERY VEHICLE (M88 MOD)	25,000
ABRAMS UPGRADE PROGRAM (M1A2 SEP)	1,030,000
M240 MEDIUM MACHINE GUN (7.62mm)	61,541
MACHINE GUN, CAL .50 M2 ROLL	27,327
M249 SAW MACHINE GUN, 5.56MM (SAW)	1,784
MK-19 GRENADE MACHINE GUN (40mm)	30,614
MORTAR SYSTEMS (Note: Includes $15,000,000 for Expanded Organic Mortar Capability)	48,459
M107, CAL 50, SNIPER RIFLE	402
XM320 GRENADE LAUNCHER MODULE (GLM)	3,500
M4 CARBINE	79,469
SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	2,400
COMMON REMOTELY OPERATED WEAPONS STATION (CROWS)	210,000
HOWITZER, LT WT 155MM	52,000
M4 CARBINE MODS	125,115
M2 50 CAL MACHINE GUN MODS	5,000

[In thousands of dollars]

Account	Recommendation
M249 SAW MACHINE GUN MODS	7,056
M240 SAW MACHINE GUN MODS	3,271
PHALANX MODS	150,000
MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	14,454
SMALL ARMS EQUIPMENT (SOLDIER ENHANCEMENT PROGRAM)	8,202
TOTAL, PROCUREMENT OF W&TCV, ARMY	5,393,471
PROCUREMENT OF AMMUNITION, ARMY	
7.62MM ALL TYPES	10,000
CTG, .50 CAL, ALL TYPES	13,500
40MM ALL TYPES	9,300
MODULAR ARTILLERY CHARGE SYSTEM, ALL TYPES	2,000
SHOULDER FIRED ROCKETS ALL TYPES	20,000
ROCKET, HYDRA 70, ALL TYPES	8,000
DEMOLITION MUNITIONS ALL TYPES	8,000
GRENADES ALL TYPES	10,000
SIMULATORS ALL TYPES	8,000
NON-LETHAL AMMUNITION ALL TYPES	54,000
ITEMS LESS THAN $5M	1,500
PROVISION OF INDUSTRIAL FACILITIES	200,600
TOTAL, PROCUREMENT OF AMMUNITION, ARMY	344,900
OTHER PROCUREMENT, ARMY	
TACTICAL TRAILERS/DOLLY SETS	232,316
SEMITRAILERS, FLATBED	37,840
SEMITRAILERS, TANKERS	67,318
HI MOB MULTI-PURP WHEELED VEHICLE (HMMWV) (Note: Includes $23,500,000 for Roll Over Trainers for Home Station, Mob Station, and Theater)	1,521,530
FAMILY OF MEDIUM TACTICAL VEH (FMTV)	673,600
FIRE TRUCKS & ASSOCIATED FIREFIGHTING EQUIPMENT	45,524
FAMILY OF HEAVY TACTICAL VEH (FHTV) (Note: Includes $185,000,000 for HEMTT Wrecker)	2,274,519
ARMORED SECURITY VEHICLES (ASV)	309,354
MINE PROTECTION VEHICLE FAMILY	179,440
TRUCK, TRACTOR, LINE HAUL, M915/M916	520,302
HEAVY EXPANDED MOBILE TACTICAL TRUCK EXTENDED SERVICE	273,148
HMMWV RECAPITALIZATION PROGRAM	325,000
MODIFICATION OF IN-SERVICE EQUIPMENT (Note: Includes $13,000,000 for Kevlar Overhead Protective Gunners Kits, and $7,000,000 for Spark Mine Rollers)	909,599
HEAVY ARMORED SEDAN	3,500
PASSENGER CARRYING VEHICLES	5,000
NONTACTICAL VEHICLES, OTHER	600
SHF TERM	22,822
SAT TERM, EMUT (SPACE)	9,800
NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	28,000
SMART-T (SPACE)	2,041
MOD OF IN-SVC EQUIP (TAC SAT) (Note: Funds additional communications links (SIPR/NIPR))	38,100
ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	2,510

[In thousands of dollars]

Account	Recommendation
ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	23,540
SINCGARS FAMILY	500,347
BRIDGE TO FUTURE NETWORKS	1,698,371
COMMS-ELEC EQUIP FIELDING	4,000
COMBAT SURVIVOR EVADER LOCATOR (CSEL) (Note: Includes $35,000,000 for CSEL Radios for ARNG and SOF)	120,000
RADIO, IMPROVED HF (COTS) FAMILY	455,000
MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	74,655
CI AUTOMATION ARCHITECTURE	7,410
TSEC - ARMY KEY MGT SYS (AKMS)	75,600
INFORMATION SYSTEM SECURITY PROGRAM-ISSP (Note: Includes $10,500,000 for Biometric Automated Tool Sets)	143,891
INFORMATION SYSTEMS	9,546
ALL SOURCE ANALYSIS SYS (ASAS) (MIP)	103,500
PROPHET GROUND (MIP)	23,000
TACTICAL UNMANNED AERIAL SYS (TUAS) MIP	233,245
SMALL UNMANNED AERIAL SYSTEM (SUAS)	24,174
DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP)	3,800
TACTICAL EXPLOITATION SYSTEM (MIP)	19,500
DCGS-A (MIP)	62,331
ITEMS LESS THAN $5.0M (MIP)	15,300
LIGHTWEIGHT COUNTER MORTAR RADAR	10,470
COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	149,937
NIGHT VISION DEVICES (Note: Includes $30,000,000 for Mini-Thermal Binoculars)	435,394
NIGHT VISION, THERMAL WEAPON SIGHT	50,000
RADIATION MONITORING SYSTEMS	1,554
COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	245,000
ARTILLERY ACCURACY EQUIP	2,800
ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SETTER	87
PROFILER	75,483
MOD OF IN-SVC EQUIP (Firefinder Radars)	21,500
FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	425,110
LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLDR)	57,000
COMPUTER BALLISTICS: LHMBC XM32	10,550
MORTAR FIRE CONTROL SYSTEM	6,192
COUNTERFIRE RADARS	174,000
INTEGRATED MET SYS SENSORS (IMETS) - MIP	1,400
TACTICAL OPERATIONS CENTERS	263,709
FIRE SUPPORT CMD & CONTROL C2 FAMILY	19,248
FAAD C2	21,500
AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD PCS)	45,200
KNIGHT FAMILY	18,077
AUTOMATIC IDENTIFICATION TECHNOLOGY	71,030
TC AIMS II	56,290
TACTICAL INTERNET MANAGER	12,400
MANEUVER CONTROL SYSTEM (MCS)	57,905
SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	77,681
AUTOMATED DATA PROCESSING EQUIPMENT	9,949
CSS COMMUNICATIONS	227,879
SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM	12,813
RECONNAISSANCE SYSTEMS, NUCLEAR BIOLOGICAL	72,000
CBRN SOLDIER PROTECTION	83,065
SMOKE & OBSCURANT FAMILY: SOF	1,098

[In thousands of dollars]

Account	Recommendation
TACTICAL BRIDGING	60,000
TACTICAL BRIDGE, FLOAT-RIBBON	42,500
GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS) (Note: Funds Explosive Detection Equipment - FLIR)	19,500
EXPLOSIVE ORDNANCE DISPOSAL EQUIP	7,650
HEATERS AND ENVIRONMENTAL CONTROL UNITS	13,512
LAUNDRIES, SHOWERS, AND LATRINES	5,200
SOLDIER ENHANCEMENT (Note: Includes $102,000,000 for Land Warrior)	110,757
FORCE PROVIDER	9,000
FIELD FEEDING EQUIPMENT	12,060
CARGO AERIAL DELIVERY PROGRAM	49,150
QUALITY SURVEILLANCE EQUIPMENT	65,364
DISTRIBUTION SYSTEMS, PETROLEUM & WATER	64,549
WATER PURIFICATION SYSTEMS	8,135
COMBAT SUPPORT MEDICAL	8,078
MOBILE MAINTENANCE	265,625
GRADER, MTZD, HVY	788
SCRAPERS, EARTHMOVING	1,438
LOADERS	9,502
HYDRAULIC EXCAVATOR	400
CRANES	30,000
HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS	14,609
CONST EQUIP ESP	9,500
GENERATORS AND ASSOCIATED EQUIPMENT	152,258
ROUGH TERRAIN CONTAINER HANDLER	109,414
ALL TERRAIN LIFTING ARMY SYSTEM	33,381
TRAINING DEVICES, NONSYSTEM	342
CALIBRATION SETS EQUIPMENT	57,307
INTEGRATED FAMILY OF TEST EQUIPMENT	133,918
TEST EQUIPMENT MODERNIZATION (TEMOD)	10,840
RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	50,592
PHYSICAL SECURITY SYSTEMS (OPA3) (Note: Funds Unattended Sensors for Situational Awareness)	2,791
MODIFICATION OF IN-SVC EQUIP (OPA3)	23,007
BUILDING PRE-FAB RELOCATABLE	134,469
CLASSIFIED PROGRAMS	570
AMC CRITICAL ITEMS	131,740
WARLOCKS	34,000
BASE EXPEDITIONARY TARGETING SURVEILLANCE SYSTEMS- COMBINED (BETSS-C)	490,000
TOTAL, OTHER PROCUREMENT, ARMY	15,967,340

[In thousands of dollars]

Account	Recommendation
AIRCRAFT PROCUREMENT, NAVY	
EA-18G (Note: Provides 2 aircraft)	150,000
F/A-18E/F (FIGHTER) HORNET (MYP) (Note: Provides 13 aircraft)	768,040
V-22 (MEDIUM LIFT) (Note: Provides 2 aircraft)	140,500
MH-60S (MYP) (Note: Provides 2 aircraft)	68,200
MH-60R (Note: Provides 2 aircraft)	70,400
KC-130J (Note: Provides 9 aircraft)	602,400
EA-6 SERIES	192,500
AV-8 SERIES (Note: Funding for Litening Pods)	3,200
F-18 SERIES	60,264
H-46 SERIES	18,200
AH-1W SERIES	33,974
H-53 SERIES (Note: No funding for AMARC or IMDS)	63,700
SH-60 SERIES	6,696
H-1 SERIES	42,134
P-3 SERIES	313,900
C-130 SERIES	28,100
EA-6 SERIES	1,000
EXECUTIVE HELICOPTERS SERIES	3,360
SPECIAL PROJECT AIRCRAFT	5,610
POWER PLANT CHANGES	6,300
COMMON ECM EQUIPMENT	136,000
COMMON DEFENSIVE WEAPON SYSTEM (Note: Funds Marine Corps Helicopter Defensive Weapons)	3,500
V-22 (TILT/ROTOR ACFT) OSPREY SERIES (Note: Includes funding for Defensive Weapon System)	45,992
SPARES AND REPAIR PARTS (Note: Includes funding for UH-1Y first deployment)	412,412
COMMON GROUND EQUIPMENT	9,800
WAR CONSUMABLES	16,072
SPECIAL SUPPORT EQUIPMENT	209,000
TOTAL, AIRCRAFT PROCUREMENT, NAVY	3,411,254
WEAPONS PROCUREMENT, NAVY	
TOMAHAWK (Note: Provides 123 missiles)	103,460
SLAM-ER (Note: Provides 9 missile kits)	13,500
HELLFIRE (Note: Provides 525 missiles)	44,000
SMALL ARMS AND WEAPONS	22,196
CIWS MODS	67,000
MARINE CORPS TACTICAL UNMANNED AERIAL SYSTEM	67,300
TOTAL, WEAPONS PROCUREMENT, NAVY	317,456

[In thousands of dollars]

Account	Recommendation
PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS	
JOINT DIRECT ATTACK MUNITION (JDAM)	5,000
AIR EXPENDABLE COUNTERMEASURES	6,625
OTHER SHIP GUN AMMUNITION	42
SMALL ARMS AND LANDING PARTY AMMUNITION	32,928
PYROTECHNIC AND DEMOLITION	63
SMALL ARMS AMMUNITION	27,644
LINEAR CHARGES, ALL TYPES	3,874
40 MM, ALL TYPES	23,096
60 MM, ALL TYPES	30,252
81 MM, ALL TYPES	35,002
120 MM, ALL TYPES	59,021
CTG 25 MM, ALL TYPES	671
GRENADES, ALL TYPES	9,384
ROCKETS, ALL TYPES	8,273
ARTILLERY, ALL TYPES	51,033
DEMOLITION MUNITIONS, ALL TYPES	3,538
FUZE, ALL TYPES	881
NON LETHALS	5,615
AMMO MODERNIZATION	2,002
ITEMS LESS THAN $5 MILLION	1
TOTAL, PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS	304,945
OTHER PROCUREMENT, NAVY	
POLLUTION CONTROL EQUIPMENT	11,000
STANDARD BOATS	19,396
TACTICAL SUPPORT CENTER	3,060
SHIPBOARD IW EXPLOIT (Note: No funding for DDG-51 equipment)	28,000
SUBMARINE SUPPORT EQUIPMENT PROGRAM (Note: No funding for antenna upgrades)	17,100
GCCS-M EQUIPMENT	920
MATCALS	26,890
COMMON IMAGERY GROUND SURFACE SYSTEM	38,000
SHIP COMMUNICATIONS AUTOMATION	12,021
EXPEDITIONARY AIRFIELDS	29,750
METEOROLOGICAL EQUIPMENT (Note: No funding for NITES upgrades)	5,300
EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	73,400
PASSENGER CARRYING VEHICLES	4,530
CONSTRUCTION & MAINTENANCE EQUIPMENT	111,100
TACTICAL VEHICLES	104,615
AMPHIBIOUS EQUIPMENT	350

[In thousands of dollars]

Account	Recommendation
ITEMS UNDER $5 MILLION (Note: Includes $3,600,000 for Rugged Deployable Satellite Communications)	126,331
MATERIALS HANDLING EQUIPMENT	832
SPECIAL PURPOSE SUPPLY SYSTEMS	556,000
COMMAND SUPPORT EQUIPMENT	40,109
C4ISR EQUIPMENT	16,900
PHYSICAL SECURITY EQUIPMENT	34,306
SPARES AND REPAIR PARTS	225
TOTAL, OTHER PROCUREMENT, NAVY	1,260,135
PROCUREMENT, MARINE CORPS	
AAV7A1 PRODUCT IMPROVEMENT PROGRAM (PIP)	26,567
LIGHT ARMORED VEHICLE (LAV) PIP	43,901
IMPROVED RECOVERY VEHICLE (IRV)	8,247
M1A1 FIREPOWER ENHANCEMENTS	90
155MM LIGHTWEIGHT TOWED HOWITZER	62,400
WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	16,695
MODULAR WEAPON SYSTEM	17,098
MODIFICATION KITS(BA2)	14,706
WEAPONS ENHANCEMENT PROGRAM	34,223
JAVELIN	10,000
MODIFICATION KITS (BA3)	949
UNIT OPERATIONS CENTER (Note: Includes one year logistics support)	84,700
REPAIR AND TEST EQUIPMENT	7,638
COMBAT SUPPORT SYSTEM	8,435
MODIFICATION KITS (BA4)	15,584
ITEMS UNDER $5M (COMM & ELEC INFRASTRUCTURE SUPPORT)	2,409
AIR OPERATIONS C2 SYSTEMS	78,593
RADAR SYSTEMS	22,900
FIRE SUPPORT SYSTEM	18,075
INTELLIGENCE SUPPORT EQUIPMENT	26,348
NIGHT VISION EQUIPMENT	153,631
COMMON COMPUTER RESOURCES	87,410
COMMAND POST SYSTEMS	43,416
RADIO SYSTEMS (Note: No funding for Enhanced Land Mobile Radios)	359,765
COMMUNICATIONS SWITCHING & CONTROL SYSTEMS	22,913
5/4T TRUCK HMMWV (MYP)	153,683
MOTOR TRANSPORT MODIFICATIONS	377,962
MEDIUM TACTICAL VEH REPLACEMENT	13,676
TRAILERS	43,000
FAMILY OF TACTICAL TRAILERS	4,402
ITEMS LESS THAN $5 MILLION (BA5)	8,048
ENVIRONMENTAL CONTROL EQUIPMENT ASSORTED	2,829
BULK LIQUID EQUIPMENT	13,189
TACTICAL FUEL SYSTEMS	21,702
POWER EQUIPMENT ASSORTED	76,080
AMPHIBIOUS SUPPORT EQUIPMENT	6,343
EOD SYSTEMS	124,563
MATERIAL HANDLING EQUIPMENT	17,242
TRAINING DEVICES	30,300
CONTAINER FAMILY	18,032
FAMILY OF CONSTRUCTION EQUIPMENT	37,383

[In thousands of dollars]

Account	Recommendation
FAMILY OF INTERNALLY TRANSPORTED VEHICLE (ITV)	18,000
BRIDGE BOATS	13,195
RAPID DEPLOYABLE KITCHEN	68
ITEMS LESS THAN $5 MILLION (BA6)	4,007
SPARES AND REPAIR PARTS	2,993
TOTAL, PROCUREMENT, MARINE CORPS	2,153,390
AIRCRAFT PROCUREMENT, AIR FORCE	
C-17 (Note: Includes funding for 15 C-17 aircraft)	3,604,500
C-130J (Note: Includes funding for 18 C-130J aircraft and 7 MC-130J aircraft)	1,802,300
CV-22 OSPREY (Note: deletes funding for initial spares)	300,540
REAPER UAV (Note: Includes funding for 18 Reaper systems)	340,700
B-1 (Note: No funding included for Digital Mission Recorder)	40,100
B-52	10,395
F-15 (Note: Funding not included for BLOS, Tactical Targeting Network and 56 JHMCS)	139,158
F-16 (Note: Includes no less than $50,000,000 for the Air National Guard SLOS/BLOS radios and targeting pods upgrades)	72,900
C-5 (Note: Fully funds aft crown skin project)	27,400
C-17	72,000
C-32	43,000
C-37	11,000
C-40	39,000
C-130 (Note: Includes radar upgrades for LC-130 aircraft)	152,640
COMPASS CALL	6,500
DARP	40,000
E-3	25,000
HH-60	6,900
INITIAL SPARES/REPAIR PARTS	36,900
AIRCRAFT REPLACEMENT SUPPORT EQUIPMENT	100,000
OTHER WAR CONSUMABLES	68,900
OTHER PRODUCTION CHARGES	88,730
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	7,028,563
MISSILE PROCUREMENT, AIR FORCE	
PREDATOR HELLFIRE MISSILE	65,143
ADVANCED CRUISE MISSILE MODS	600
INITIAL SPARES/REPAIR PARTS	1,200
TOTAL, MISSILE PROCUREMENT, AIR FORCE	66,943
PROCUREMENT OF AMMUNITION, AIR FORCE	
SMALL ARMS	25,400
CARTRIDGES	33,954
GENERAL PURPOSE BOMBS	7,887
JOINT DIRECT ATTACK MUNITIONS	13,094

[In thousands of dollars]

Account	Recommendation
ITEMS LESS THAN $5 MILLION	12,100
FLARES	112,545
FUZES	475
TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	205,455
OTHER PROCUREMENT, AIR FORCE	
PASSENGER CARRYING VEHICLES	23,396
MEDIUM TACTICAL VEHICLE	34,939
SECURITY AND TACTICAL VEHICLES (Note: Includes MRAP adjustment)	66,124
FIRE FIGHTING/CRASH RESCUE VEHICLES	15,200
HALVORSEN LOADER	19,500
RUNWAY SNOW REMOVAL AND CLEANING EQUIPMENT	6,987
ITEMS LESS THAN $5 MILLION (VEHICLES)	12,500
NATIONAL AIRSPACE SYSTEM	4,200
GENERAL INFORMATION TECHNOLOGY	7,776
AIR FORCE PHYSICAL SECURITY SYSTEM (Note: Funding not included for C-RAM and CROWS)	4,500
GLOBAL COMBAT SUPPORT SYSTEM--AF FAMILY OF SYSTEMS	7,500
DEFENSE MESSAGE SYSTEM	400
BASE INFORMATION INFRASTRUCTURE (Note: only for ANG installations)	52,000
SPACELIFT RANGE SYSTEM SPACE	10,000
CONTINGENCY OPERATIONS	9,200
ITEMS LESS THAN $5 MILLION (BASE SUPPORT) (Note: Includes $12,000,000 for Intelligence Communications Equipment and no funding for Senior Leader in Transit Conference Capsules)	61,000
DISTRIBUTED GROUND SYSTEMS	56,000
CLASSIFIED PROGRAMS	1,511,945
TOTAL, OTHER PROCUREMENT, AIR FORCE	1,903,167
PROCUREMENT, DEFENSE-WIDE	
MAJOR EQUIPMENT, DHRA	7,800
CV-22	173,800
C-130 MODS	65,000
SMALL ARMS AND WEAPONS	1,365
UNMANNED VEHICLES	14,550
SOF OPERATIONAL ENHANCEMENTS	59,000
CLASSIFIED PROGRAMS	86,694
TOTAL, PROCUREMENT, DEFENSE-WIDE	408,209
NATIONAL GUARD AND RESERVE EQUIPMENT	
ARMY RESERVE	125,000
ARMY NATIONAL GUARD	625,000
TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	750,000

ARMY AVIATION

Urgent needs have been identified in certain Army aviation programs. Accordingly, the recommendation provides additional funding as follows: $30,000,000 for UH–60A to UH–60L modifications, to remanufacture 30 aircraft; $14,650,000 for UH–60 aircraft safety enhancements; $38,000,000 for Kiowa Warrior Safety Enhancement program; and $196,100,000 for Army fixed and rotary wing aircraft survivability enhancements in infrared countermeasures.

There is strong support for the Army plan to replace the aging Kiowa Warrior fleet with Armed Reconnaissance Helicopters (ARH) as soon as possible. However, the funding provided in the Department of Defense Appropriations Act, 2008 fully funded the ARH production capacity for fiscal year 2008. Accordingly, the recommendation includes no additional funding for the Armed Reconnaissance Helicopter program.

M4 CARBINE

Numerous concerns have been raised about continued procurement of the M4 carbine. These concerns range from performance issues (such as jamming in dusty environments) to the current sole source contract. The Army recently conducted tests on the M4 and similar weapons in the same class to assess its performance. The Army is also evaluating the capability of the M4 and other weapons to determine if a new performance requirement is needed. To allay the concerns regarding performance and competition in contracting, the Secretary of the Army is directed to provide a report to the congressional defense committees no later than June 15, 2008, on the findings of the recent comparative capability assessment and with a determination as to whether a change in the acquisition strategy is needed.

FAMILY OF MEDIUM TACTICAL VEHICLES

The recommendation includes $673,600,000 for the Family of Medium Tactical Vehicles program. This funding level includes $94,000,000 to reimburse the program for funds that were used under rapid acquisition authority to procure Sky Warrior intelligence, surveillance and reconnaissance assets.

SINGLE CHANNEL GROUND AND AIRBORNE RADIO SYSTEM (SINCGARS)

The recommendation includes $500,347,000 for the procurement of SINCGARS radios, which will fully fund Army SINCGARS radio requirements for fiscal year 2008. However, the Army has yet to fully address certain issues including concerns of the Army Science Board regarding SINCGARS compatibility with the Joint Tactical Radio System (JTRS), encryption modernization, and compatibility with local first responder radios. The Army is urged to move forward with a plan that addresses these and other urgent tactical radio issues.

The Army has recently updated the acquisition strategy for the SINCGARS family of radios and has released a market survey seeking sources of supply that are compliant with the operational requirements. The Army is encouraged to implement ''best value'' selection criteria in any upcoming competition where the operational requirements are stated as the minimum needed and advanced capabilities and features would be evaluated according to the value they bring above that minimum functionality level. Not more than 60 days after enactment of this Act, the Secretary of the Army shall provide a report and briefing to the Committees on Appropriations of the House of Representatives and the Senate addressing the acquisition objective; encryption modernization and capability enhancement; alignment with the JTRS program; and a procurement plan that includes a strategy for full, fair and open competition.

MARITIME PATROL AIRCRAFT

The Navy has recently grounded 39 P–3 Orion Maritime Patrol Aircraft due to wing cracking discovered during inspections. These aircraft have logged significant hours flying in support of the Global War on Terror. To keep these aircraft flying until the replacement Multi-Mission Aircraft (P–8A Poseidon) is fielded, $313,900,000 is provided for the procurement and installation of wing repair kits.

MARINE CORPS AIRCRAFT DEFENSIVE WEAPONS

Marine Corps aircraft deployed in theater should have a capable self defense system. Some of the deployed Marine Corps aircraft have less than capable or outdated defensive systems. To improve the capability of deployed Marine Corps aircraft, $15,000,000 is provided for the procurement of defensive weapons for V–22 aircraft and $3,500,000 is provided for the procurement of defensive weapons for CH–46 aircraft.

GROW THE FORCE—MARINE CORPS

The recommendation provides funds identified by the Marine Corps associated with growing the size of its force, to include $26,400,000 for lightweight 155mm howitzers, $12,000,000 for weapons, $43,000,000 for trailers and $100,000,000 for armored vehicle sets.

MARINE CORPS GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM (G-BOSS)

The fiscal year 2008 supplemental request included $640,000,000 for G-BOSS, a capability that will provide updated base security for the Marine Corps. Public Law 110–161 provided $340,000,000 of that total program requirement. Briefings with the Marine Corps and the Joint Improvised Explosive Device Defeat Organization (JIEDDO) indicate that JIEDDO will fund the remaining G-BOSS requirement of $300,000,000.

C–17 GLOBEMASTER

In light of increases to both the Army and Marine Corps end-strength and the emerging lift needs of the Future Combat System, the Department of Defense has not adequately assessed strategic lift requirements. The need for an accurate assessment is critical because the C–17 aircraft production line is facing shut-down in the very near-term. As a prudent course of action to avoid plant shutdown before the requirement is fully assessed, the recommendation provides $3,604,500,000 to procure 15 C–17 aircraft.

C/KC/MC–130J PROCUREMENT

An appropriation of $2,469,700,000 is recommended for the procurement of 34 C/KC/MC–130J aircraft. Given the age and usage of the C–130, KC–130 and MC–130 fleets, it is justifiable to acquire replacement aircraft faster and in higher quantities in order to drive down unit acquisition costs and operating costs. Therefore, the recommendation fully funds 18 C–130J aircraft, seven MC-130J aircraft and nine KC–130J aircraft. These funds are provided with the expectation that the Department of Defense will proceed expeditiously with negotiations to enter into a follow-on joint multi-year procurement contract in order to lock in lower acquisition prices. It is anticipated that the savings achieved with a multi-year procurement contract will be applied to the associated economic order quantity requirement.

LARGE AIRCRAFT INFRARED COUNTERMEASURES (LAIRCM)

The fiscal year 2007 supplemental provided $112,400,000 to install LAIRCM on C–37 aircraft at an estimated cost of $11,200,000 per aircraft. Due to discounts offered by the vendor and installer for subsequent aircraft, each additional aircraft modification was approximately 50% of the original estimate, resulting in a savings of $55,000,000. The Secretary of the Air Force is directed to use the savings to fund the LAIRCM modification for C–20B and C–20H aircraft. These aircraft are not currently tasked for missions into areas defensive countermeasures are required. Passengers are transferred to combat aircraft such as the C–130 and C–17 that are equipped with countermeasure equipment. These modifications will allow the C–20B/H aircraft to be tasked for missions directly into areas where countermeasures are required and, thus, negate the need for combat aircraft to be diverted for these missions.

HANDGUN REPLACEMENT

The recommendation includes no funding for the Air Force to replace its handgun. $5,000,000 was provided in fiscal year 2007 to perform a study on replacing the handgun that was not executed because there was no validated requirement for a new handgun. This remains an unsubstantiated need for fiscal year 2008 supplemental funds and the Air Force is urged to request funds in the baseline account if it intends to pursue this program in the future.

NATIONAL GUARD AND RESERVE EQUIPMENT

The recommendation for the National Guard and Reserve Equipment Account is $750,000,000. Of this amount, $625,000,000 is for the Army National Guard and $125,000,000 is for the U.S. Army Reserve to meet urgent equipment needs that may arise this fiscal year. This funding will allow the Army Guard and Army Reserve to procure high priority items such as: AH–64 helicopter modifications from A model to D model for the Army Guard; HH–60 Blackhawk medical evacuation helicopters for the Army Reserve; UH–60 helicopter model A to L conversions; HMMWV utility vehicles; Heavy Expanded Mobile Tactical Trucks; Liquid Logistics Storage and Distribution Systems; sniper detection devices; MILSATCOM, NAVSTAR GPS, and other communications equipment; Night Vision equipment; psychological operations equipment; Water Purification Systems; Air Traffic Control Simulator Systems; Light Medium and Medium Tactical Vehicles; trucks, tractors, and line haul equipment; Armored Security Vehicles; Joint Service Transportable Decontamination Systems—Small Scale (JSTDS–SS); Logistics Automation Systems (SAMS–E, CAISI, and VSAT); and tactical bridging and power generating equipment.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

An appropriation of $1,624,093,000 is recommended for Research, Development, Test and Evaluation.

The recommendations for each research, development, test and evaluation account are shown below:

[In thousands of dollars]

Account	Recommendation
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY	
MILITARY ENGINEERING ADVANCED TECHNOLOGY (Note: Includes development of surveillance technology)	5,000
SOLDIER SUPPORT AND SURVIVABILITY	10,000
INFANTRY SUPPORT WEAPONS	8,158
FAMILY OF HEAVY TACTICAL WHEELS (Note: Adapt SPARK Mine Rollers to OEF)	3,400
LIGHT TACTICAL WHEELED VEHICLES	10,000
AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE	38,900
AUTOMATIC TEST EQUIPMENT DEVELOPMENT	2,000
INFORMATION TECHNOLOGY DEVELOPMENT (Note: Includes $16,000,000 for Enhanced DIHMRS Capability)	21,000
INFORMATION SYSTEMS SECURITY PROGRAM	23,300
WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	3,800
JOINT COMMAND AND CONTROL PROGRAM	6,200
DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,000
BASE EXPEDITIONARY TARGETING SURVEILLANCE SYSTEMS- COMBINED (BETSS-C)	10,000
FUEL PRICE INCREASE - KWAJALEIN	6,000
LIGHT WEIGHT MISSILE LAUNCHER	9,200
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	162,958
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY	
USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) (Note: Includes funding f r IED Detection Program)	17,000
RETRACT LARCH	18,800
RETRACT MAPLE	3,400
LINK EVERGREEN	47,200
NON-LETHAL WEAPONS (Note: Funds only for ADS and Silent Guardian)	7,000
OTHER HELICOPTER DEVELOPMENT (Note: Includes funding for CH-53 VDE)	5,000
AV-8B AIRCRAFT--ENGINE DEVELOPMENT	6,406
V-22A (Note: Funding for Defensive Weapons System)	14,000
ELECTRONIC WARFARE (EW) DEVELOPMENT	8,676
MEDICAL DEVELOPMENT (Note: Includes funding for wound care research)	10,000
INFORMATION TECHNOLOGY DEVELOPMENT	800
SHIP AND AIRCRAFT SUPPORT	8,952
MARINE CORPS COMMS SYSTEMS (Note: Funds only for GBOSS, CREW, CESAS, and TPS-59)	55,500
MARINE CORPS GROUND COMBAT /SUPPORTING ARMS SYSTEMS (Note: No funds for PERM)	10,600
MARINE CORPS CMBT SERVICES SUPT (Note: Funds only for M1A1 Crew Weapon and Test Equipment)	1,075
AIRBORNE RECONNAISSANCE SYSTEMS	11,000
MANNED RECONNAISSANCE SYS	32,000
CLASSIFIED PROGRAMS	108,701
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	366,110

[In thousands of dollars]

Account	Recommendation
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE	
MATERIALS	3,700
ADVANCED MATERIALS FOR WEAPON SYSTEMS	5,900
AEROSPACE TECHNOLOGY DEV/DEMO	300
B-1B	40,000
SMALL DIAMETER BOMB	7,900
ARMAMENT/ORDNANCE DEVELOPMENT	4,200
TEST AND EVALUATION SUPPORT (Note: Includes $300,000 for deployed civilians and $18,818,000 for fuel cost increase)	19,118
FACILITY RESTORATION AND MODERNIZATION-T&E	1,610
CLASSIFIED PROGRAMS	7,700
NIGHT FIST USSTRATCOM	1,640
F-16 SQUADRONS (Note: Only for BLOS for SINCGARS)	7,700
COMPASS CALL	5,600
AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROG (CIP)	16,000
JOINT SURVEILLANCE/TARGET ATTACK RADAR SYS (JSTARS)	64,109
DRAGON U-2 (JMIP)	660
AIRBORNE RECONNAISSANCE SYSTEMS	1,520
GLOBAL HAWK UAV (Note: Only for fixing imagery and shading issues)	800
CLASSIFIED PROGRAMS	89,970
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	278,427
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE	
AEGIS BALLISTIC MISSILE DEFENSE (Note: Only for activities associated with the February 2008 satellite intercept)	112,360
GENERAL SUPPORT TO USD	26,374
CLASSIFIED PROGRAMS USD (P)	15,000
DHRA - WOUNDED WARRIOR	20,300
CRITICAL INFRASTRUCTURE PROGRAM (CIP)	4,500
DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,170
SOF OPERATIONAL ENHANCEMENTS	2,270
MANAGEMENT HEADQUARTERS (JCS)	1,028
UNMANNED VEHICLES (Note: Only for Global Observer)	38,000
CLASSIFIED PROGRAMS	593,596
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	816,598

JOINT STARS

An appropriation of $64,109,000 is recommended for the Joint Stars aircraft program. $22,600,000 is for the Primary Mission Equipment and Diminishing Manufacturing Source (PME/DMS) development program, $1,409,000 is for the Surface Warfare Joint Capability Technology Demonstration, $36,000,000 is for increased bandwidth and beyond line of site capability for the aircraft, $4,100,000 is for Single Channel Ground to Air Radio System (SINCGARS) voice initial capability insertion.

C–17 HEADS-UP DISPLAY

Beginning in fiscal year 2012 the current C–17 Heads-Up Display (HUD) will no longer be supportable due to problems associated with parts obsolescence. Given this timeline, the Air Force may use C–17 research, development, test and evaluation funds already appropriated in fiscal year 2008 to start a replacement program for the HUD.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

An appropriation of $1,837,450,000 is recommended for the Defense Working Capital Funds.

The recommendations for each Defense Working Capital Fund account are shown below:

[In thousands of dollars]

Account	Recommendation
DEFENSE WORKING CAPITAL FUNDS	
DEFENSE WORKING CAPITAL FUND, ARMY	
PREPOSITIONED WAR RESERVE STOCKS	511,100
SPARES AUGMENTATION--COMBAT LOSSES	62,000
SPARES AUGMENTATION--OIF DEMANDS	70,000
FUEL COSTS	7,471
TOTAL, DEFENSE WORKING CAPITAL FUND, ARMY	650,571
DEFENSE WORKING CAPITAL FUND, NAVY	
FUEL COSTS	272,020
TOTAL, DEFENSE WORKING CAPITAL FUND, NAVY	272,020
DEFENSE WORKING CAPITAL FUND, AIR FORCE	
FUEL COSTS	594,784
TOTAL, DEFENSE WORKING CAPITAL FUND, AIR FORCE	594,784
DEFENSE WORKING CAPITAL FUND, DEFENSE-WIDE	
THEATER DISTRIBUTION CENTER, KUWAIT	13,000
COMBAT FUEL LOSSES	43,400
FUEL TRANSPORTATION	96,100
DEFENSE REUTILIZATION AND MARKETING OPTIONS	5,275
DLA FUEL TERMINAL OPERATIONS	16,100
FUEL COSTS	146,200
TOTAL, DEFENSE WORKING CAPITAL FUND, DEFENSE-WIDE	320,075
TOTAL, DEFENSE WORKING CAPITAL FUNDS	1,837,450

NATIONAL DEFENSE SEALIFT FUND

An appropriation of $5,110,000 is recommended for the National Defense Sealift Fund.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

An appropriation of $1,438,864,000 is recommended for the Defense Health Program.

The recommendations for operation and maintenance, procurement and research, development, test and evaluation are shown below:

[In thousands of dollars]

Account	Recommendation
OPERATION AND MAINTENANCE	**907,064**
IN-HOUSE CARE	**38,700**
Navy Personnel Backfill	37,700
Medical Care of Former Members w/ Severe Injuries	1,000
PRIVATE SECTOR CARE	**491,164**
Respite Care for Active Duty Members	10,000
Medical Care for Families of Seriously Injured Members	1,000
CONSOLIDATED HEALTH CARE SUPPORT	**43,311**
Notification of Combat Wounded	2,000
Center of Excellence for Eye Injuries	1,000
Establish Office for Interoperable Electronic Health Record	2,500
Disability Evaluation System & Case Management	7,600
INFORMATION MANAGEMENT	**19,393**
Joint Medical Communications Infrastructure	5,000
Navy Civilian Hires	300
Disability Evaluation System & Case Management	13,500
MANAGEMENT ACTIVITIES	**773**
EDUCATION AND TRAINING	**20,700**
Enhanced Recruiting/Retention of HC Professionals	18,500
Navy Civilian Hires	2,200
BASE OPERATIONS/COMMUNICATIONS	**293,023**
Army FSRM	140,200
Navy FSRM	93,211
Air Force FSRM	59,612
PROCUREMENT	**91,900**
Disability Evaluation System & Case Management	4,900
Joint Medical Communications Infrastructure	25,000
Army Medical Procurement	35,000
Navy Medical Procurement	27,000
RESEARCH, DEVELOPMENT, TEST AND EVALUATION	**364,900**
Disability Evaluation System & Case Management	21,100
Battle Casualty and Psychological Health Research	273,800
Center for Neuroscience and Regenerative Medicine	70,000
PSYCHOLOGICAL HEALTH AND TRAUMATIC BRAIN INJURY	**75,000**
TOTAL, DEFENSE HEALTH PROGRAM	1,438,864

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION

The recommendation includes an additional $293,023,000 for sustainment, restoration and modernization of military medical projects for the Army, Navy and Air Force. The average ''recapitalization rate'' (aggregate investment in infrastructure) for civilian hospitals is 21 years and the current Department of Defense medical facility recapitalization rate exceeds 75 years. This funding is only a temporary band-aid for certain facilities and the Department is urged to request the necessary military construction funds.

UNFUNDED FISCAL YEAR 2008 PROCUREMENT REQUIREMENTS

The recommendation includes an additional $62,000,000 for unfunded procurement requirements for the Army and Navy. The Air Force does not have any unfunded procurement requirements for fiscal year 2008. Providing the most advanced medical equipment is essential for the care of our service members and their families and the Services have a limited ability to procure critical medical technology because of the exponential cost growth for medical equipment and the restrictions on the service medical accounts. Additional procurement resources have been provided to the Services for the past two years and the Department must make a concerted effort to reflect these requirements in future budget submissions for the Defense Health Program.

BATTLE CASUALTY AND PSYCHOLOGICAL HEALTH RESEARCH

The recommendation includes an additional $273,800,000 to address prevention, diagnosis, treatment, and mitigation of deployment-related injuries and psychological health concerns. These funds are targeted to accelerate ongoing programs and are for peer reviewed research into emergent approaches and technologies. These funds are directed towards the following research areas: final development of medical devices for use in theater (including portable suction machines and EKGs for theater hospitals); blood safety and blood products; burns (including tissue viability and fluid resuscitation); orthopedic and other trauma treatment and rehabilitation (including face, visual/ocular and nerve damage, dental, and auditory systems); suicide prevention and counseling (including reducing nurse stress and fatigue at military treatment facilities); traumatic brain injury and psychological health (including Post Traumatic Stress Disorder); injury prevention; wound infection and healing; treatment for severe cutaneous leishmaniasis; and wound infection vaccines. These funds shall be executed through the Army's Medical Research and Materiel Command. The Army is directed to work in conjunction with the Navy and the Air Force to augment all Department of Defense research efforts in these areas. The Department is directed to provide a report with a detailed plan for the use of these funds and timeline for execution by August 1, 2008.

CENTER FOR NEUROSCIENCE AND REGENERATIVE MEDICINE

The recommendation includes an additional $70,000,000 to increase investigators and research capabilities in Traumatic Brain Injury and regenerative medicine across the Armed Forces. The focus of this initiative is an intramural start-up for the study of blast injury to the brain and post traumatic stress by studying actual combat casualties cared for at Walter Reed Army Medical Center and the National Naval Medical Center and using sophisticated neuroimaging technology at the National Institute of Health's Clinical Center.

POST TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY

In addition to amounts otherwise available to the Defense Health Program, $75,000,000 is available to continue work for traumatic brain injury and psychological health.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

An appropriation of $65,317,000 is recommended for Drug Interdiction and Counter-Drug Activities, Defense for operations in Afghanistan, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Thailand and Turkmenistan.

OFFICE OF THE INSPECTOR GENERAL

An appropriation of $6,394,000 is recommended for the Office of the Inspector General. This is an increase of $2,000,000 in research, development, test and evaluation funding for the development of an Investigative Data System for the Defense Criminal Investigative Service.

GENERAL PROVISIONS, THIS CHAPTER

The amended bill includes the following general provisions for this chapter:

Section 9101 establishes the period of availability for obligation of appropriations provided in this chapter.

Section 9102 provides that funds made available in this chapter are in addition to amounts provided elsewhere for the Department of Defense for fiscal year 2008.

Section 9103 provides for special transfer authority of up to $2,500,000,000 of funds in this chapter, subject to the terms and conditions in section 8005 of the Department of Defense Appropriations Act, 2008.

Section 9104 provides that of the funds made available for the Department of Defense, $1,026,841,000 may be used to execute programs under the Commander's Emergency Response Program for Iraq, Afghanistan, and the Philippines.

Section 9105 provides for transfer of funds to the Defense Cooperation Account to appropriations or funds as determined by the Secretary of Defense.

Section 9106 provides that not to exceed $20,000,000 of funds made available under ''Drug Interdiction and Counter-Drug Activities, Defense'' may be used to support counter-drug activities of certain governments, and that such support is in addition to support provided under any other provision of law.

Section 9107 provides for up to 20 heavy and light armored vehicles for force protection purposes in Iraq and Afghanistan and up to 21 vehicles from funds previously appropriated.

Section 9108 provides for the transfer of funds to the Mine Resistant Ambush Protected Vehicle Fund.

Section 9109 provides up to $150,000,000 to support the development of foreign national counterterrorism capabilities.

CHAPTER 2—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

DEPARTMENT OF DEFENSE—MILITARY

OVERVIEW

RECOMMENDATION

On May 2, the Administration presented a request of $66,062,936,000 for supplemental appropriations for the Department of Defense, not including military construction. The recommendation in title IX, chapter 2, is $65,921,157,000.

The following table summarizes by appropriation account or general provision, the recommendation:

(Amounts in thousands)

B111

CHAPTER 2

DEFENSE BRIDGE FUND APPROPRIATIONS FOR FY 2009

DEPARTMENT OF DEFENSE--MILITARY

Military Personnel

Military Personnel, Army (emergency)	839,000
Military Personnel, Navy (emergency)	75,000
Military Personnel, Marine Corps (emergency)	55,000
Military Personnel, Air Force (emergency)	75,000
National Guard Personnel, Army (emergency)	150,000
Total, Military Personnel	1,194,000

Operation and Maintenance

Operation & Maintenance, Army (emergency)	37,300,000
Operation & Maintenance, Navy (emergency)	3,500,000
(Transfer out) (emergency)	(-112,000)
Coast Guard (By transfer) (emergency)	(112,000)
Operation & Maintenance, Marine Corps (emergency)	2,900,000
Operation & Maintenance, Air Force (emergency)	5,000,000
Operation & Maintenance, Defense-Wide (emergency)	2,648,569
Operation & Maintenance, Army Reserve (emergency)	79,291
Operation & Maintenance, Navy Reserve (emergency)	42,490
Operation & Maintenance, Marine Corps Reserve (emergency)	47,076
Operati n & Maintenance, Air Force Reserve (emergency)	12,376
Operation & Maintenance, Army National Guard (emergency)	333,540
Operation & Maintenance, Air National Guard (emergency)	52,667
Subtotal, Operation and Maintenance	51,916,009
Afghanistan Security Forces Fund (emergency)	2,000,000
Iraq Security Forces Fund (emergency)	1,000,000
Subtotal, Other	3,000,000
Grand total, Operation and Maintenance	54,916,009

Procurement

Aircraft Procurement, Army (emergency)	84,000
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	822,674
Procurement of Ammunition, Army (emergency)	46,500
Other Procurement, Army (emergency)	1,009,050
Other Procurement, Navy (emergency)	27,948
Procurement, Marine Corps (emergency)	565,425
Aircraft Procurement, Air Force (emergency)	201,842
Other Procurement, Air Force (emergency)	1,500,644
Procurement, Defense-Wide (emergency)	177,237
Total, Procurement	4,435,320

(Amounts in thousands)

	Bill
Research, Development, Test and Evaluation	
Research, Development, Test & Evaluation, Navy (emergency)	113,228
Research, Development, Test & Evaluation, Air Force (emergency)	72,041
Research, Development, Test and Evaluation, Defense-Wide (emergency)	202,559
Total, Research, Development, Test and Evaluation	387,828
Other Department of Defense Programs	
Defense Health Program (emergency)	1,100,000
Operation and maintenance (emergency)	(1,100,000)
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	188,000
Joint IED Defeat Fund (emergency)	2,000,000
Total, Other Department of Defense Programs	3,288,000
General Provisions--Chapter 2	
Special transfer authority (emergency)	(4,000,000)
Mine Resistant Ambush Protected Vehicle Fund (emerg.)	1,700,000
Total, Chapter 2	65,921,157

CLASSIFIED ANNEX

The 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 direction in the classified annex accompanying this Act.

REPORTING REQUIREMENTS

The Secretary of Defense is directed 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 chapter. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this chapter are no longer available for obligation. The Secretary is directed that these reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this chapter 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 chapter. It is expected 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 Department of Defense is directed to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriation accounts in this chapter.

Additionally, the Department of Defense is directed to submit monthly supplemental execution reports to the congressional defense committees that include the following information by appropriation: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations, and cumulative fiscal year disbursements.

MINE RESISTANT AMBUSH PROTECTED VEHICLES

The recommendation includes $1,700,000,000 for the Mine Resistant Ambush Protected Vehicle Fund. This funds requirements for ballistic testing, sustainment and transportation of Mine Resistant Ambush Protected Vehicles, as identified by the Department. The Department shall continue to adhere to the execution and reporting requirements contained in section 8122 of Public Law 110–116. Additionally, the Secretary of Defense is directed to include future requests for Mine Resistant Ambush Protected Vehicle sustainment in the base budget starting with the fiscal year 2010 President's budget request submission.

MILITARY PERSONNEL

An appropriation of $1,194,000,000 is recommended for Military Personnel. The recommendations for each military personnel account are shown below:

[In thousands of dollars]

Account	Recommendation
MILITARY PERSONNEL, ARMY	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	85,298
RETIRED PAY ACCRUAL	24,906
BASIC ALLOWANCE FOR HOUSING	25,374
BASIC ALLOWANCE FOR SUBSISTENCE	3,322
SOCIAL SECURITY TAX	6,516
TOTAL, BUDGET ACTIVITY 1	145,416
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	190,920
RETIRED PAY ACCRUAL	55,748
BASIC ALLOWANCE FOR HOUSING	58,173
SOCIAL SECURITY TAX	14,605
TOTAL, BUDGET ACTIVITY 2	319,446
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	17,563
SUBSISTENCE-IN-KIND	251,700
TOTAL, BUDGET ACTIVITY 3	269,263
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
DEATH GRATUITIES	10,488
SGLI AND TSGLI PAYMENTS	94,387
TOTAL, BUDGET ACTIVITY 6	104,875
TOTAL MILITARY PERSONNEL, ARMY	839,000
MILITARY PERSONNEL, NAVY	
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
DEATH GRATUITIES	13,000
SGLI AND TSGLI PAYMENTS	62,000
TOTAL, BUDGET ACTIVITY 6	75,000
TOTAL MILITARY PERSONNEL, NAVY	75,000
MILITARY PERSONNEL, MARINE CORPS	
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
DEATH GRATUITIES	22,000
SGLI AND TSGLI PAYMENTS	33,000
TOTAL, BUDGET ACTIVITY 6	55,000
TOTAL MILITARY PERSONNEL, MARINE CORPS	55,000
MILITARY PERSONNEL, AIR FORCE	

[In thousands of dollars]

Account	Recommendation
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
DEATH GRATUITIES	12,000
SGLI AND TSGLI PAYMENTS	63,000
TOTAL, BUDGET ACTIVITY 6	75,000
TOTAL MILITARY PERSONNEL, AIR FORCE	75,000
NATIONAL GUARD PERSONNEL, ARMY	
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/28)	16,500
SCHOOL TRAINING	58,500
SPECIAL TRAINING	24,000
ADMINISTRATION AND SUPPORT	51,000
TOTAL NATIONAL GUARD PERSONNEL, ARMY	150,000

OPERATION AND MAINTENANCE

An appropriation of $54,916,009,000 is recommended for Operation and Maintenance.

The recommendations for each operation and maintenance account are shown below:

[In thousands of dollars]

Account	Recommendation
OPERATION AND MAINTENANCE, ARMY	
INCREMENTAL WARTIME OPERATING COSTS	23,343,665
DEPOT MAINTENANCE/RESET	7,886,730
FACILITIES/BASE SUPPORT	5,205,036
TRANSPORTATION	778,198
CLASSIFIED PROGRAMS	86,371
TOTAL, OPERATION AND MAINTENANCE, ARMY	37,300,000
OPERATION AND MAINTENANCE, NAVY	
INCREMENTAL WARTIME OPERATING COSTS	2,517,826
DEPOT MAINTENANCE/RESET	236,829
TRANSPORTATION	594,906
COAST GUARD SUPPORT	112,000
CLASSIFIED PROGRAMS	38,439
TOTAL, OPERATION AND MAINTENANCE, NAVY	3,500,000
OPERATION AND MAINTENANCE, MARINE CORPS	
INCREMENTAL WARTIME OPERATING COSTS	2,109,788
DEPOT MAINTENANCE/RESET	430,660
TRANSPORTATION	359,552
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	2,900,000
OPERATION AND MAINTENANCE, AIR FORCE	
INCREMENTAL WARTIME OPERATING COSTS	2,689,203
DEPOT MAINTENANCE/RESET	238,347
AIRLIFT OPERATIONS	2,031,723
CLASSIFIED PROGRAMS	40,727
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	5,000,000
OPERATION AND MAINTENANCE, DEFENSE-WIDE	
THE JOINT STAFF	22,500
SPECIAL OPERATIONS COMMAND	
OPERATING EXPENSES	901,550
ISR SUSTAINMENT	123,450
AMERICAN FORCES INFORMATION SERVICE	6,500
DEFENSE CONTRACT AUDIT AGENCY (DCAA)	5,000
DEFENSE CONTRACT MANAGEMENT AGENCY (DCMA)	2,100
DEFENSE HUMAN RESOURCE ACTIVITY (DHRA)	2,900
DEFENSE INFORMATION SYSTEMS AGENCY (DISA)	31,100
DEFENSE LOGISTICS AGENCY	34,000

[In thousands of dollars]

Account	Recommendation
DEFENSE LEGAL SERVICES AGENCY (DLSA)	7,000
DEPARTMENT OF DEFENSE EDUCATION ACTIVITY (DODEA)	102,460
DEFENSE SECURITY COOPERATION AGENCY (DSCA)	300,000
DEFENSE THREAT REDUCTION AGENCY (DTRA)	1,440
OFFICE OF THE SECRETARY OF DEFENSE	30,000
WASHINGTON HEADQUARTERS SERVICES	5,000
CLASSIFIED PROGRAMS	1,073,569
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	2,648,569
OPERATION AND MAINTENANCE, ARMY RESERVE	
OPERATING EXPENSES	79,291
TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	79,291
OPERATION AND MAINTENANCE, NAVY RESERVE	
OPERATING EXPENSES	42,490
TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	42,490
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	
OPERATING EXPENSES	47,076
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	47,076
OPERATION AND MAINTENANCE, AIR FORCE RESERVE	
OPERATING EXPENSES	12,376
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	12,376
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	
OPERATING EXPENSES	333,540
TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	333,540
OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	
OPERATING EXPENSES	52,667
TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	52,667

[In thousands of dollars]

Account	Recommendation
AFGHANISTAN SECURITY FORCES FUND	
MINISTRY OF DEFENSE (MOD) INFRASTRUCTURE	300,510
MOD EQUIPMENT AND TRANSPORTATION	234,558
MOD TRAINING	138,271
MOD SUSTAINMENT	480,340
MINSTRY OF INTERIOR (MOI) INFRASTRUCTURE	210,276
MOI EQUIPMENT AND TRANSPORTATION	42,727
MOI TRAINING	313,803
MOI SUSTAINMENT	275,515
RELATED ACTIVITIES	
DETAINEE OPERATIONS – TRAINING	1,000
DETAINEE OPERATIONS – SUSTAINMENT	3,000
TOTAL, AFGHANISTAN SECURITY FORCES FUND	2,000,000
IRAQ SECURITY FORCES FUND	
MINISTRY OF DEFENSE (MOD) EQUIPMENT AND TRANSPORTATION	300,000
MOD TRAINING	60,000
MOD SUSTAINMENT	100,000
MINISTRY OF INTERIOR (MOI) EQUIPMENT AND TRANSPORTATION	200,000
MOI TRAINING	300,000
MOI SUSTAINMENT	40,000
TOTAL, IRAQ SECURITY FORCES FUND	1,000,000

DEFENSE SECURITY COOPERATION AGENCY

The recommendation includes $200,000,000 for coalition support funds and $100,000,000 for lift and sustainment of coalition partners in Iraq and Afghanistan.

AFGHANISTAN AND IRAQ SECURITY FORCES

Reprogramming. The Depatment of Defense has been provided significant flexibility in executing this program in the past but new reprogramming procedures are required at this juncture. With respect to the Iraq Security Forces Fund and the Afghanistan Security Forces Fund, the Department is directed to submit prior approval reprogramming requests to the congressional defense committees for proposed transfers of funds in excess of $20,000,000, to the Infrastructure subactivity groups or other construction related projects.

PROCUREMENT

An appropriation of $4,435,320,000 is recommended for Procurement. The recommendations for each procurement account are shown below:

[In thousands of dollars]

Account	Recommendation
AIRCRAFT PROCUREMENT, ARMY	
COMMON GROUND EQUIPMENT	5,000
AIRCRAFT SURVIVABILITY INFRARED COUNTERMEASURES	20,000
KIOWA WARRIOR	59,000
TOTAL, AIRCRAFT PROCUREMENT, ARMY	84,000
PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY	
BRADLEY BASE SUSTAINMENT	394,800
M1 ABRAMS TANK MOD	47,900
ABRAMS UPGRADE PROGRAM	130,400
STRYKER VEHICLE	248,053
MORTAR WEAPON SYSTEM	1,521
TOTAL, PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY	822,674
PROCUREMENT OF AMMUNITION, ARMY	
NON-LETHAL AMMUNITION, ALL TYPES	46,500
TOTAL, PROCUREMENT OF AMMUNITION, ARMY	46,500
OTHER PROCUREMENT, ARMY	
HMMWV RECAP PROGRAM	390,219
HEMTT EXTENDED SERVICE PROGRAM	15,000
SEMI TRAILER, FLATBED	58,014
SEMI TRAILER, TANKER	26,941
TACTICAL BRIDGING, FLOAT-RIBBON	14,000
DRY SUPPORT BRIDGE	76,000
FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	90,000
TACTICAL TRAILER/DOLLY SETS	40,000
TACTICAL RADIOS	4,855
GROUND STANDOFF MINE DETECTION SYSTEM	5,000
MEDICAL COMMUNICATIONS FOR COMBAT CASUALTY CARE	12,109
NIGHT VISION DEVICES	20,000
NIGHT VISION THERMAL WEAPONS SIGHT	20,000
ALL TERRAIN LIFTING ARMY SYSTEM	5,000
LOADERS	15,000
TRACTORS	20,000
GENERATORS AND ASSOCIATED EQUIPMENT	20,000
DIGITAL TOPOGRAPHIC SUPPORT SYSTEM	9,000
TRUCK, TRACTOR, LINE HAUL, M915/M921	110,000
PROPHET GROUND	2,500
TACTICAL UNMANNED AERIAL SYSTEMS	9,876
MODIFICATION OF IN-SERVICE EQUIPMENT	15,000
ROUGH TERRAIN CONTAINER HANDLER (RTCH)	30,000
CLASSIFIED PROGRAMS	536
TOTAL, OTHER PROCUREMENT, ARMY	1,009,050

[In thousands of dollars]

Account	Recommendation
OTHER PROCUREMENT, NAVY	
CONSTRUCTION AND MAINTENANCE EQUIPMENT	3,142
TACTICAL VEHICLES	5,554
ITEMS UNDER $5 MILLION	5,687
PHYSICAL SECURITY EQUIPMENT	13,565
TOTAL, OTHER PROCUREMENT, NAVY	27,948
PROCUREMENT, MARINE CORPS	
LIGHT ARMORED VEHICLE (LAV)-PRODUCT IMPROVEMENT PROGRAM (PIP)	30,000
WEAPONS & COMBAT SYSTEMS UNDER $5M	8,000
MODULAR WEAPONS SYSTEM (Note: Includes FK4 Underbody Armor, M1114 Frag Kits, M1A1 IED Survivability Enhancements)	101,500
UNIT OPERATIONS CENTER	16,000
REPAIR AND TEST EQUIPMENT (Note: Includes Blue Force Tracking Support, Platf rm Devices, Spares and Vehicles)	105,175
RADAR SYSTEMS	8,000
INTELLIGENCE SUPPORT EQUIPMENT	21,500
COMMON COMPUTER RESOURCES	5,000
5/4T TRUCK HMMWV (RESET)	25,000
EOD SYSTEMS (Note: Including CREW Upgrades)	211,750
PHYSICAL SECURITY EQUIPMENT (Note: Includes Electronic Security Systems and G-BOSS)	9,000
FIELD MEDICAL EQUIPMENT	8,000
COUNTER RC IED WARFARE	1,500
FAMILY OF CONSTRUCTION EQUIPMENT	15,000
TOTAL, PROCUREMENT, MARINE CORPS	565,425
AIRCRAFT PROCUREMENT, AIR FORCE	
LAIRCM (Note: Includes funds for EC130/C-17 LAIRCM)	26,000
F-16 MODIFICATIONS (Note: Only for the National Guard $34,200,000 for F-16 Advanced Identification Friend/Foe (AIFF))	34,200
F-15 MODIFICATIONS (Note: $34,000,000 only for National Guard AESA Systems)	34,000
MQ-9 REAPER (Note: Includes 5 UAVs)	87,642
PREDATOR/REAPER GCS RETROFIT	20,000
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	201,842

[In thousands of dollars]

Account	Recommendation
OTHER PROCUREMENT, AIR FORCE	
HALVORSEN	13,500
CLASSIFIED PROGRAMS	1,487,144
TOTAL, OTHER PROCUREMENT, AIR FORCE	1,500,644
PROCUREMENT, DEFENSE-WIDE	
C-130 MODIFICATIONS (Note: Funds are provided for the Special Operations Command Gunship Multispectral Sensor 2 Readiness Spares)	17,000
SOF ORDNANCE REPLENISHMENT	43,640
SOF OPERATIONAL ENHANCEMENT (Note: $20,750,000 is for Special Operations Command ISR Mission Equipment Package and $13,000,000 for Sensors for Additional Leased ISR Aircraft)	33,750
SMALL ARMS AND WEAPONS (Note: For SOF Soldier Protection and Survival System)	16,250
CLASSIFIED PROGRAMS	66,597
TOTAL, PROCUREMENT, DEFENSE-WIDE	177,237

FORCE PROTECTION AND RESET

The recommendation provides funding for critical force protection and reset initiatives identified by the Marine Corps, to include $30,000,000 for Light Armored Vehicle survivability upgrades; $97,500,000 for Frag Kit 4 underbody armor and M1114 Frag Kits; $105,175,000 for Blue Force Tracker platform devices; and $201,750,000 for jammer upgrades.

SPECIAL OPERATIONS PSYCHOLOGICAL OPERATIONS

The Special Operations Command is encouraged to use funds provided in fiscal year 2009 for the Department of Defense to fund psychological operations equipment for C–130 aircraft.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

An appropriation of $387,828,000 is recommended for Research, Development, Test and Evaluation only for classified programs.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

An appropriation of $1,100,000,000 is recommended for the Defense Health Program. The recommendations for the Defense Health Program are shown below:

[In thousands of dollars]

	Recommendation
OPERATION AND MAINTENANCE	1,100,000
IN-HOUSE CARE	740,052
CONSOLIDATED HEALTH CARE SUPPORT	220,147
INFORMATION MANAGEMENT	78,219
MANAGEMENT ACTIVITIES	1,159
EDUCATION AND TRAINING	51,157
BASE OPERATIONS/COMMUNICATIONS	9,266
TOTAL, DEFENSE HEALTH PROGRAM	1,100,000

TRAUMATIC BRAIN INJURY AND PSYCHOLOGICAL HEALTH

The recommendation includes $300,000,000 to support programs and activities relating to the treatment, care, rehabilitation, recovery and support of the Armed Forces for traumatic brain injury and psychological health issues. Of the funds provided, $200,000,000 is in In-House Care, $75,000,000 is in Consolidated Health, and $25,000,000 is in Education and Training. The Assistant Secretary of Defense for Health Affairs, in coordination with the Service Surgeons General and the Deputy Assistant Secretary of Defense for Force Health Protection and Readiness, is directed to provide a report to the congressional defense committees no later than August 1, 2008 with a detailed spend plan including funding requirements, sources of funding, and a break out of initiatives.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

An appropriation of $188,000,000 is recommended for Drug Interdiction and Counter-Drug Activities, Defense for operations in Afghanistan, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan and Turkmenistan.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

An appropriation of $2,000,000,000 is recommended for the Joint Improvised Explosive Device Defeat Fund.

[In thousands of dollars]

Account	Recommendation
JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	
ATTACK THE NETWORK	725,000
DEFEAT THE DEVICE	950,000
TRAIN THE FORCE	250,000
STAFF AND INFRASTRUCTURE	75,000
TOTAL, JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	2,000,000

GENERAL PROVISIONS, THIS CHAPTER

The amended bill includes the following general provisions for this chapter:

Section 9201 establishes that the funds made available in this chapter are not available until October 1, 2008.

Section 9202 establishes the period of availability for obligation for appropriations provided in this chapter.

Section 9203 provides for special transfer authority up to $4,000,000,000 of funds in this chapter.

Section 9204 provides that the Secretary of Defense continue to provide quarterly reports to Congress on a comprehensive set of indicators and measures for progress towards military and political stability in Iraq.

Section 9205 provides that the Director of the Office of Management and Budget, (in consultation with the Secretary of Defense; the Commander, Multi-National Security Transition Command-Iraq; and the Commander, Combined Security Transition Command-Afghanistan), shall submit a report detailing, among other assessments, the total cost of training and equipping the Iraq and Afghanistan security forces.

Section 9206 provides that funds available to the Department of Defense for operation and maintenance may be used to provide supplies, services and transportation to coalition forces in Iraq and Afghanistan.

Section 9207 provides that supervision and administrative costs associated with a construction project funded through operation and maintenance, Afghanistan Security Forces Fund, or Iraq Security Forces Fund may be obligated at the time a construction contract is awarded.

Section 9208 provides $1,700,000,000 in emergency funding for the Mine Resistant Ambush Protected Vehicle Fund.

Section 9209 defines the Congressional Defense Committees as being the Armed Services Committees and the Subcommittees on Defense of the Committees on Appropriations of the House and the Senate.

CHAPTER 3—GENERAL PROVISIONS, THIS TITLE

The amended bill includes the following general provisions for this title:

Section 9301 provides that the amounts recommended under this title are designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

Section 9302 provides for the obligation and expenditure of funds related to activities pursuant to section 504(a)(1) of the National Security Act of 1947.

Section 9303 prohibits the use of funds to contravene laws or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Section 9304 requires a report on the United States global strategy to combat and defeat Al Qaeda and its affiliates.

Section 9305 provides that none of the funds appropriated in this title may be obligated and expended to finance programs or activities denied by Congress in fiscal year 2007 or 2008 appropriations for the Department of Defense or to initiate a new start without prior approval.

Section 9306 provides for an increase in the amount authorized for the United States contribution to NATO to $435,259,000.

Section 9307 prohibits award fees to any defense contractor in contravention to provisions of section 814 of the National Defense Authorization Act, 2007.

RESCISSIONS

Section 9308 provides that: (a) of the funds made available for ''Defense Health Program'' in Public Law 110–28, $75,000,000 is rescinded and, (b) of the funds made available for ''Joint Improvised Explosive Device Defeat Fund'' in Division L of the Consolidated Appropriations Act, 2008 (Public Law 110–161), $71,531,000 is rescinded.

Section 9309 provides that of the funding provided in the Readiness, Veterans' Care, Katrina Recovery and Iraq Accountability Appropriations Act, 2007 that remains available for obligation under the Iraq Freedom Fund 2007/2008, $150,000,000 is only for the Joint Rapid Acquisition Cell program and $10,000,000 is only for the transportation of fallen service members.

Section 9310 allows Combatant Commanders to use funds available in this title in operation and maintenance to purchase an investment item of not more than $500,000 to meet operational requirements.

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
TITLE IX--DEFENSE MATTERS			
CHAPTER 1			
SUPPLEMENTAL APPROPRIATIONS FOR FY 2008			
DEPARTMENT OF DEFENSE--MILITARY			
Military Personnel			
Military Personnel, Army (emergency)	11,535,055	11,807,655	+272,600
Military Personnel, Navy (emergency)	696,053	866,753	+170,700
Military Personnel, Marine Corps (emergency)	1,733,971	1,820,571	+86,600
Military Personnel, Air Force (emergency)	1,277,853	1,286,153	+8,300
Reserve Personnel, Army (emergency)	299,200	304,200	+5,000
Reserve Personnel, Navy (emergency)	70,000	72,800	+2,800
Reserve Personnel, Marine Corps (emergency)	15,420	16,720	+1,300
Reserve Personnel, Air Force (emergency)	3,000	5,000	+2,000
National Guard Personnel, Army (emergency)	1,136,747	1,369,747	+233,000
National Guard Personnel, Air Force (emergency)	---	4,000	+4,000
Total, Military Personnel	16,767,299	17,553,599	+786,300
Operation and Maintenance			
Operation and Maintenance, Army (emergency)	18,720,113	16,343,512	-2,376,601
Operation and Maintenance, Navy (emergency)	2,498,765	2,952,864	+454,099
(Transfer out) (emergency)	(-112,607)	(-112,607)	---
Coast Guard (By transfer) (emergency)	(112,607)	(112,607)	---
Operation and Maintenance, Marine Corps (emergency)	306,050	159,900	-146,150
Operation and Maintenance, Air Force (emergency)	5,927,212	5,922,520	-4,692
Operation and Maintenance, Defense-Wide (emergency)	3,220,388	3,387,562	+167,174
Operation and Maintenance, Army Reserve (emergency)	118,958	164,839	+45,881
Operation and Maintenance, Navy Reserve (emergency)	41,750	109,876	+68,126
Operation and Maintenance, Marine Corps Reserve (emergency)	22,040	70,256	+48,216
Operation and Maintenance, Air Force Reserve (emergency)	12,133	165,994	+153,861
Operation and Maintenance, Army National Guard (emergency)	430,008	685,644	+255,636
Operation and Maintenance, Air National Guard (emergency)	51,633	287,369	+235,736
Subtotal, Operation and Maintenance	31,349,050	30,250,336	-1,098,714
Iraq Freedom Fund (emergency)	103,750	50,000	-53,750
Afghanistan Security Forces Fund (emergency)	1,350,000	1,400,000	+50,000
Iraq Security Forces Fund (emergency)	1,500,000	1,500,000	---
Subtotal, Other	2,953,750	2,950,000	-3,750
Grand total, Operation and Maintenance	34,302,800	33,200,336	-1,102,464
Procurement			
Aircraft Procurement, Army (emergency)	1,181,864	954,111	-227,753
Missile Procurement, Army (emergency)	641,764	561,656	-80,108
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	5,860,252	5,393,471	-466,781
Procurement of Ammunition, Army (emergency)	359,600	344,900	-14,700
Other Procurement, Army (emergency)	21,103,261	15,967,340	-5,135,921
Aircraft Procurement, Navy (emergency)	3,859,958	3,411,254	-448,704
Weapons Procurement, Navy (emergency)	318,281	317,456	-825
Procurement of Ammunition, Navy and Marine Corps (emergency)	304,945	304,945	---

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
Other Procurement, Navy (emergency)	1,515,116	1,260,135	-254,981
Procurement, Marine Corps (emergency)	2,444,490	2,153,390	-291,100
Aircraft Procurement, Air Force (emergency)	3,894,839	7,028,563	+3,133,724
Missile Procurement, Air Force (emergency)	1,800	66,943	+65,143
Procurement of Ammunition, Air Force (emergency)	104,405	205,455	+101,050
Other Procurement, Air Force (emergency)	2,430,034	1,903,167	-526,867
Procurement, Defense-Wide (emergency)	267,440	408,209	+140,769
Rapid Acquisition Fund	150,000	---	-150,000
National Guard and Reserve Equipment (emergency)	---	750,000	+750,000
Total, Procurement	44,438,049	41,030,995	-3,407,054
Research, Development, Test and Evaluation			
Research, Development, Test and Evaluation, Army (emergency)	163,299	162,958	-341
Research, Development, Test and Evaluation, Navy (emergency)	610,567	366,110	-244,457
Research, Development, Test and Evaluation, Air Force (emergency)	1,487,493	278,427	-1,209,066
Research, Development, Test and Evaluation, Defense-Wide (emergency)	684,389	816,598	+132,209
Total, Research, Development, Test and Evaluation	2,945,748	1,624,093	-1,321,655
Revolving and Management Funds			
Defense Working Capital Funds (emergency)	957,675	1,837,450	+879,775
National Defense Sealift Fund (emergency)	5,110	5,110	---
Total, Revolving and Management Funds	962,785	1,842,560	+879,775
Other Department of Defense Programs			
Defense Health Program (emergency)	561,741	1,363,864	+802,123
Operation and maintenance (emergency)	(561,741)	(907,064)	(+345,323)
Procurement (emergency)	---	(91,900)	(+91,900)
Research, development, test and evaluation (emergency)	---	(364,900)	(+364,900)
Psychological health & traumatic brain injury (emerg)	---	75,000	+75,000
Total, Defense Health Program (emergency)	561,741	1,438,864	+877,123
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	65,017	65,317	+300
Office of the Inspector General (emergency)	4,394	6,394	+2,000
Total, Other Department of Defense Programs	631,152	1,510,575	+879,423
General Provisions--Chapters 1 and 3			
Special transfer authority (emergency)	---	(2,500,000)	(+2,500,000)
Defense Cooperation Account (transfer authority) (emergency)	6,500	6,500	---
Rescissions (emergency) (Chapter 3)	---	-146,531	-146,531
Total, General Provisions	6,500	-140,031	-146,531
Total, Chapter 1 and Chapter 3	100,054,333	96,622,127	-3,432,206

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
CHAPTER 2			
BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FY 2009			
DEPARTMENT OF DEFENSE--MILITARY			
Military Personnel			
Military Personnel, Army (emergency)	3,500,000	839,000	-2,661,000
Military Personnel, Navy (emergency)	95,000	75,000	-20,000
Military Personnel, Marine Corps (emergency)	85,000	55,000	-30,000
Military Personnel, Air Force (emergency)	105,000	75,000	-30,000
National Guard Personnel, Army (emergency)	20,000	150,000	+130,000
Total, Military Personnel	3,805,000	1,194,000	-2,611,000
Operation and Maintenance			
Operation and Maintenance, Army (emergency)	35,560,055	37,300,000	+1,739,945
Operation and Maintenance, Navy (emergency)	238,437	3,500,000	+3,261,563
(Transfer out) (emergency)	(-200,000)	(-112,000)	(+88,000)
Coast Guard (By transfer) (emergency)	(200,000)	(112,000)	(-88,000)
Operation and Maintenance, Marine Corps (emergency)	2,200,000	2,900,000	+700,000
Operation and Maintenance, Air Force (emergency)	3,644,078	5,000,000	+1,355,922
Operation and Maintenance, Defense-Wide (emergency)	3,193,494	2,648,569	-544,925
Operation and Maintenance, Army Reserve (emergency)	---	79,291	+79,291
Operation and Maintenance, Navy Reserve (emergency)	---	42,490	+42,490
Operation and Maintenance, Marine Corps Reserve (emergency)	34,000	47,076	+13,076
Operation and Maintenance, Air Force Reserve (emergency)	---	12,376	+12,376
Operation and Maintenance, Army National Guard (emergency)	---	333,540	+333,540
Operation and Maintenance, Air National Guard (emergency)	---	52,667	+52,667
Subtotal, Operation and Maintenance	44,870,064	51,916,009	+7,045,945
Afghanistan Security Forces Fund (emergency)	3,666,259	2,000,000	-1,666,259
Iraq Security Forces Fund (emergency)	2,000,000	1,000,000	-1,000,000
Subtotal, Other	5,666,259	3,000,000	-2,666,259
Grand total, Operation and Maintenance	50,536,323	54,916,009	+4,379,686
Procurement			
Aircraft Procurement, Army (emergency)	---	84,000	+84,000
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	---	822,674	+822,674
Procurement of Ammunition, Army (emergency)	---	46,500	+46,500
Other Procurement, Army (emergency)	80,536	1,009,050	+928,514
Other Procurement, Navy (emergency)	---	27,948	+27,948
Procurement, Marine Corps (emergency)	---	565,425	+565,425
Aircraft Procurement, Air Force (emergency)	1,209,300	201,842	-1,007,458
Other Procurement, Air Force (emergency)	1,467,475	1,500,644	+33,169
Procurement, Defense-Wide (emergency)	72,733	177,237	+104,504
Rapid Acquisition Fund	100,000	---	-100,000
Total, Procurement	2,930,044	4,435,320	+1,505,276

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
Research, Development, Test and Evaluation			
Research, Development, Test and Evaluation, Navy (emergency)	113,228	113,228	---
Research, Development, Test and Evaluation, Air Force (emergency)	71,741	72,041	+300
Research, Development, Test and Evaluation, Defense-Wide (emergency)	194,156	202,559	+8,403
Total, Research, Development, Test and Evaluation	379,125	387,828	+8,703
Revolving and Management Funds			
Defense Working Capital Funds (emergency)	2,200,000	---	-2,200,000
Total, Revolving and Management Funds	2,200,000	---	-2,200,000
Other Department of Defense Programs			
Defense Health Program (emergency)	400,000	1,100,000	+700,000
Operation and maintenance (emergency)	(400,000)	(1,100,000)	(+700,000)
Psychological health & traumatic brain injury (emerg).	100,000	---	-100,000
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	130,000	188,000	+58,000
Joint IED Defeat Fund (emergency)	2,970,444	2,000,000	-970,444
Total, Other Department of Defense Programs	3,600,444	3,288,000	-312,444
General Provisions--Chapter 2			
Special transfer authority (emergency)	(4,000,000)	(4,000,000)	---
Defense Cooperation Account (transfer authority) (emergency)	2,000	---	-2,000
Mine Resistant Ambush Protected Vehicle Fund (emerg.).	2,610,000	1,700,000	-910,000
Total, General Provisions	2,612,000	1,700,000	-912,000
Total, Chapter 2	66,062,936	65,921,157	-141,779
Grand total, Title IX	166,117,269	162,543,284	-3,573,985

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
FY 2008 RECAPITULATION			
Military Personnel	16,767,299	17,553,599	+786,300
Operation and Maintenance	31,349,050	30,250,336	-1,098,714
Other	2,953,750	2,950,000	-3,750
Procurement	44,438,049	41,030,995	-3,407,054
Research, Development, Test and Evaluation	2,945,748	1,624,093	-1,321,655
Revolving and Management Funds	962,785	1,842,560	+879,775
Other Department of Defense Programs	631,152	1,510,575	+879,423
General Provisions	6,500	-140,031	-146,531
Total, FY 2008 Department of Defense	100,054,333	96,622,127	-3,432,206
FY 2009 RECAPITULATION			
Military Personnel	3,805,000	1,194,000	-2,611,000
Operation and Maintenance	44,870,064	51,916,009	+7,045,945
Other	5,666,259	3,000,000	-2,666,259
Procurement	2,930,044	4,435,320	+1,505,276
Research, Development, Test and Evaluation	379,125	387,828	+8,703
Revolving and Management Funds	2,200,000	---	-2,200,000
Other Department of Defense Programs	3,600,444	3,288,000	-312,444
General Provisions--Chapter 2	2,612,000	1,700,000	-912,000
Total, FY 2009 Department of Defense	66,062,936	65,921,157	-141,779
Grand Total, Title IX	166,117,269	162,543,284	-3,573,985

AMENDMENT NO. 2

TITLE X—POLICY RELATING TO OPERATIONS IN IRAQ

SENSE OF CONGRESS REGARDING UNITED STATES MILITARY PERSONNEL

Section 10001 includes a sense of the Congress commending the performance, courage, and sacrifice of the United States military personnel.

UNITS DEPLOYED FOR COMBAT TO BE FULLY MISSION CABABLE

Section 10002 prohibits the use of funds to deploy to Iraq any combat unit of the Armed Forces that is not assessed ''fully mission capable'' of performing their assigned mission to the prescribed standards under the conditions expected in the theater of operation, consistent with the guidelines set forth in the Department of Defense's written policies. These readiness standards may be waived on a unit-by-unit basis if the President certifies, in writing, that the deployment of a unit that is not assessed mission capable is required for reasons of national security, and submits along with the certification a report detailing the particular reasons why the unit's deployment is necessary.

TIME LIMIT ON COMBAT DEPLOYMENTS

Section 10003 prohibits the use of funds to initiate or execute any order extending the deployment for Operation Iraqi Freedom of any unit of the Army, Army Reserve or Army National Guard beyond 365 days, and any unit of the Marine Corps or Marine Corps Reserve beyond 210 days. This limitation may be waived on a unit-by-unit basis if the President certifies, in writing, that the extension of a unit's deployment in Iraq beyond the period applicable to the unit is required for reasons of national security, and includes in the certification a report detailing the particular reasons why the unit's extended deployment is necessary.

DWELL TIME BETWEEN COMBAT DEPLOYMENTS

Section 10004 prohibits the use of funds to initiate, continue, or execute any order that has the effect of redeploying for Operation Iraqi Freedom any unit of the Army, Army Reserve or Army National Guard if such unit has been deployed within the previous consecutive 365 days, and any unit of the Marine Corps or Marine Corps Reserve if such unit has been deployed within the previous 210 consecutive days. This limitation may be waived on a unit-by-unit basis if the President certifies, in writing, that the redeployment of a unit in advance of the expiration of the period applicable to the unit is required for reasons of national security, and includes in the certification a report detailing the particular reasons why the unit's early redeployment is necessary.

LIMITATION ON INTERROGATION TECHNIQUES

Section 10005 provides that no person in the custody or under the effective control of an element of the intelligence community, including contractors and subcontractors at any tier of the element of the intelligence community, shall be subject to any treatment or technique of interrogation not authorized by the U.S. Army Field Manual on Human Intelligence Collector Operations.

REGISTRATION WITH THE INTERNATIONAL COMMITTEE OF THE RED CROSS

Section 10006 prohibits the use of funds to detain any individual in the custody or under the effective control of an element of the intelligence community, including contractors and subcontractors at any tier of the element of the intelligence community, unless the International Committee of the Red Cross is provided notification of the detention of and access to such person in a timely manner and consistent with the practices of the Armed Forces of the United States.

PROHIBITION OF PERMANENT BASES IN IRAQ

Section 10007 prohibits the use of funds to establish a permanent base in Iraq or to exercise United States control over any oil resource of Iraq.

LIMITATION ON DEFENSE AGREEMENTS WITH THE GOVERNMENT OF IRAQ

Section 10008 prohibits the use of funds to negotiate, enter into, or implement any agreement with the Government of Iraq that includes security assurances for mutual defense, unless the agreement is in the form of a treaty requiring the advice and consent of the Senate, or is specifically authorized by a law enacted after the date of enactment of this Act.

PROHIBITION ON AGREEMENTS SUBJECTING ARMED FORCES TO IRAQI CRIMINAL JURISDICTION

Section 10009 prohibits the use of funds to negotiate, enter into, or implement an agreement with the Government of Iraq that would subject members of the United States Armed Forces to the jurisdiction of Iraq criminal courts or punishment under Iraq law.

REQUIREMENT FOR MATCHING FUNDS FROM GOVERNMENT OF IRAQ

Section 10010 prohibits the use of funds for assistance for Iraq, including training, capacity building, and construction and repair of infrastructure, unless the funds are matched by the Government of Iraq on a dollar-for-dollar basis. The provision also requires a new report by the Secretary of Defense on the Budget of the Government of Iraq, to be included in the Secretary's quarterly report on Progress Toward Stability in Iraq.

PARTIAL REIMBURSEMENT FROM IRAQ FOR FUEL COSTS

Section 10011 requires that, within 90 days of enactment of this Act, the President shall complete an agreement with the Government of Iraq to subsidize fuel costs for United States Armed Forces operating in Iraq, so that the price of fuel for those forces is equal to the discounted price that is provided for domestic Iraqi consumption. Funds provided under the heading ''Operation and Maintenance, Defense-Wide'' for the Secretary of Defense or Washington Headquarters Services may not be obligated or expended until such agreement is complete and the President transmits a report on that agreement to the House and Senate Committees on Appropriations. This limitation on funding may be waived by the President upon certification that it is in the national security interests of the United States.

TIMETABLE FOR REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ

Section 10012 provides for the withdrawal of United States Armed Forces from Iraq, beginning within 30 days of enactment of this Act, with a goal of completing such redeployment within 18 months. After completion of the redeployment, U.S. Armed Forces may be deployed to, or maintained in, Iraq only to the extent necessary to carry out the following missions: protecting diplomatic facilities, Armed Forces, and U.S. citizens in Iraq; conducting limited training of, equipping, and providing logistical and intelligence support to Iraqi security forces; and engaging in targeted counterterrorism operations against al-Qaeda, groups affiliated with al-Qaeda, and other terrorist organizations in Iraq.

This section requires the Secretary of Defense to submit to Congress no later than July 1, 2008, and every 90 days thereafter, a report providing a description of current efforts and future plans to reduce and transition U.S. Armed Forces to a limited presence in Iraq. The section also includes a requirement that, within 45 days of enactment of this Act, the Secretary of State shall provide to the House and Senate Committees on Appropriations a strategy for civilian-led post-conflict stabilization and reconstruction assistance for Iraq.

TITLE XI—REFORMS RELATED TO WAR PROFITEERING AND CONTRACTORS

CHAPTER 1—ADJUSTMENT OF WARTIME STATUTE OF LIMITATIONS

This chapter extends current law on the wartime suspension of statutory limitations for military contract fraud prosecutions to the wars in Iraq and Afghanistan. It also extends the statute of limitations to five years after the termination of hostilities, instead of three years as provided in current law.

CHAPTER 2—WAR PROFITEERING AND FRAUD

This chapter establishes a new criminal offense to prohibit profiteering and fraud in Federal contracts associated with military actions, relief, and reconstruction efforts overseas. The penalty is a fine of up to $1,000,000 and/or a prison term not to exceed 20 years.

CHAPTER 3—MILITARY EXTRA-TERRITORIAL JURISDICTION MATTERS

This chapter expands the Military Extraterritorial Jurisdiction Act of 2000 to cover all persons employed under Federal contracts and subcontracts where U.S. Armed Forces are conducting overseas military operations. MEJA provides for the prosecution of an offense that would be punishable by imprisonment for more than one year if committed in the U.S. This chapter also designates the Attorney General as the principal authority for investigation and enforcement of the Act.

AMENDMENT NO. 3

TITLE I—MILITARY CONSTRUCTION, VETERANS, INTERNATIONAL AFFAIRS, AND OTHER SECURITY-RELATED MATTERS

CHAPTER 1—AGRICULTURE

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

The amended bill provides a total of $850,000,000 to remain available until expended for Public Law 480 Title II Grants for fiscal year 2008. The amended bill provides $350,000,000, as requested, for the urgent humanitarian needs identified by the administration. Further, the amended bill provides an additional $500,000,000 for unanticipated cost increases for food and transportation to be made available immediately.

In addition, because the need for urgent humanitarian food assistance and continuing volatility of food and transportation costs are expected to continue into fiscal year 2009, the amended bill provides a total of $395,000,000, as requested, to be made available beginning October 1, 2008.

CHAPTER 2—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF JUSTICE

OFFICE OF INSPECTOR GENERAL

The amended bill includes $4,000,000 for the Office of Inspector General. The Inspector General is directed to continue its audit and oversight activities of the Federal Bureau of Investigation's use of National Security Letters (NSLs) and orders for business records, pursuant to Section 215 of the USA PATRIOT Act.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The amended bill includes $1,648,000 for General Legal Activities for the Criminal Division to provide litigation support services to the Special Inspector General for Iraq Reconstruction for its ongoing investigations and cases involving corruption in the reconstruction of Iraq. The amended bill does not include funding requested to create Iraq and Afghanistan support units within General Legal Activities, Criminal Division. These worthy activities should be supported through funds made available to the departments of State or Defense.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The amended bill includes $5,000,000 for the U.S. Attorneys for extraordinary litigation expenses associated with terrorism prosecutions in the United States.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The amended bill includes $18,621,000 for the U.S. Marshals Service. Within this funding level is $7,951,000 to provide security at high-threat terrorist trials in the United States and $3,700,000 to improve court and witness security in Afghanistan.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The amended bill provides $92,169,000 for the Federal Bureau of Investigation (FBI) for operations in Iraq and Afghanistan and for enhanced counterterrorism activities. The FBI is directed to provide the House and Senate Committees on Appropriations with a detailed plan for the obligation of these funds no later than 30 days after the enactment of this Act and to update this plan on a quarterly basis with actual obligations.

The amended bill also provides $82,600,000 in bridge funding for the FBI to maintain the operations described above into fiscal year 2009.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The amended bill includes $12,166,000 for the Drug Enforcement Administration to further its narco-terrorism initiative and Operation Breakthrough and to conduct financial investigations.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The amended bill includes $4,000,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives for necessary costs of operations in Iraq.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The amended bill provides $9,100,000 for the Bureau of Prisons to monitor communications of incarcerated terrorists, collect intelligence, and disseminate relevant information to other Federal law enforcement agencies.

CHAPTER 3—MILITARY CONSTRUCTION AND VETERANS AFFAIRS

DEPARTMENT OF DEFENSE

Iraq.—Central Command has reiterated its intention eventually to consolidate the U.S. force posture in Iraq into four contingency operating bases at Al Asad Air Base, Balad Air Base/Camp Anaconda, Camp Speicher, and Victory Base, as well as four convoy centers at Camp Adder, Korean Village, Qayyarah West, and Scania. The Administration's request has been reviewed for military construction in Iraq to ensure that the recommended projects are consistent with the consolidation plan. The projects included in the amended bill support current operations pursuant to the consolidation plan, as well as force protection and quality of life projects for deployed personnel. Each project request has also been reviewed to ensure consistency with contingency construction standards. The amended bill therefore does not include $183,000,000 for five power plants to replace expeditionary generator sets. The establishment of permanent bases in Iraq is not supported, and the amended bill does not include any funds to establish any such base, or convert any base in Iraq from a temporary to permanent status. The amended bill includes language prohibiting the obligation or expenditure of $533,700,000 provided for Military Construction, Army, and $58,300,000 provided for Military Construction, Air Force, until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for permanent basing of U.S. military personnel in Iraq.

Child Development Centers.—The amended bill recommends a total of $210,258,000 to design and build twenty new child development centers for the Army, Navy, Marine Corps, and Air Force as requested by the Department. The Department should be commended for following the lead of Congress by requesting funds for additional child development centers. The projects included in the amended bill will provide additional space to serve 4,900 children, in addition to the facilities for approximately 3,500 children provided by Congress in the enacted fiscal year 2008 appropriation.

Trainee and Recruit Facilities.—The amended bill recommends a total of $299,600,000 for eight projects providing barracks and other facilities for Army and Marine Corps trainees and recruits. These projects are included to further the eventual elimination of a large backlog of needed recapitalization for trainee and recruit facilities, and to assist the Army and Marine Corps with their efforts to grow and revitalize the force to continue the global war on terrorism.

MILITARY CONSTRUCTION, ARMY

The amended bill recommends $1,432,700,000 for Military Construction, Army. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
AK: Fort Wainwright	Child Development Center (1/)	17,000	17,000
CA: Fort Irwin	Child Development Center (1/)	11,800	11,800
CO: Fort Carson	Child Development Center (1/)	8,400	8,400
CO: Fort Carson	Soldier Family Assistance Center	8,100	8,100
GA: Fort Benning	Classrooms & Battalion Dining Facilities	2/	30,500
GA: Fort Gordon	AIT Complex 1, Phase 1	2/	32,000
GA: Fort Gordon	Child Development Center (1/)	7,800	7,800
GA: Fort Stewart	Soldier Family Assistance Center	6,000	6,000
HI: Schofield Barracks	Child Development Center (1/)	12,500	12,500
KS: Fort Riley	Transitioning Warrior Support Complex	50,000	50,000
KY: Fort Campbell	Child Development Center (1/)	9,900	9,900
KY: Fort Campbell	Soldier Family Assistance Center	7,400	7,400
KY: Fort Knox	Child Development Center (1/)	7,400	7,400
LA: Fort Polk	Soldier Family Assistance Center	4,900	4,900
MO: Fort Leonard Wood	Starbase Complex 6, Phase 1	2/	50,000
NC: Fort Bragg	Child Development Center (1/)	8,500	8,500
NY: Fort Drum	Warrior in Transition Facilities	38,000	38,000
OK: Fort Sill	Child Development Center (1/)	9,000	9,000
SC: Fort Jackson	Student Barracks	2/	27,000
TX: Fort Bliss	Child Development Center (1/)	5,700	5,700
TX: Fort Bliss	Child Development Center (1/)	5,900	5,900
TX: Fort Bliss	Child Development Center (1/)	5,700	5,700
TX: Fort Hood	Child Development Center (1/)	7,200	7,200
TX: Fort Hood	Warrior in Transition Unit Ops Facilities	9,100	9,100
TX: Fort Sam Houston	AIT Barracks	2/	47,000
TX: Fort Sam Houston	Child Development Center (1/)	7,000	7,000
VA: Fort Eustis	AIT Complex 1, Phase 1	2/	50,000
VA: Fort Lee	Child Development Center (1/)	7,400	7,400
Afghanistan: Bagram AB	Administrative Building (1/)	13,800	13,800
Afghanistan: Bagram AB	Aircraft Maintenance Hangar	5,100	5,100
Afghanistan: Bagram AB	Ammunition Supply Point	62,000	62,000
Afghanistan: Bagram AB	Bulk Fuel Storage and Supply, Phase 3	23,000	23,000
Afghanistan: Bagram AB	Bulk Fuel Storage and Supply, Phase 4	21,000	21,000
Afghanistan: Bagram AB	New Roads	27,000	27,000
Afghanistan: Bagram AB	Power Plant	41,000	41,000
Afghanistan: Bagram AB	Theater Internment Facility (1/)	60,000	-
Afghanistan: Ghazni	Rotary Wing Parking	5,000	5,000
Afghanistan: Kabul	Consolidated Compound	36,000	36,000
Afghanistan: Various Locations	Counter IED Road - Route Alaska	16,500	16,500
Afghanistan: Various Locations	Counter IED Road - Route Connecticut	54,000	54,000
Iraq: Al Asad AB	Hot Cargo Ramp	18,500	18,500
Iraq: Al Asad AB	Landfill	3,100	3,100
Iraq: Al Asad AB	Power Plant	40,000	-
Iraq: Al Asad AB	South Airfield Apron (India Ramp)	28,000	28,000
Iraq: Al Asad AB	Urban Bypass Road	43,000	-
Iraq: Baghdad	MNF Embassy Compound (1/)	10,500	-
Iraq: Baghdad IAP	Water Supply, Treatment & Storage Ph III	13,000	13,000
Iraq: Camp Adder	Convoy Support Center Relocation, Phase II	39,000	39,000
Iraq: Camp Adder	Corps Support Center, Phase III (1/)	13,200	-
Iraq: Camp Adder	Entry Control Point (1/)	-	-
Iraq: Camp Adder	Multi-Class Storage Warehouse	17,000	17,000
Iraq: Camp Adder	POL Storage Area	10,000	10,000
Iraq: Camp Adder	Power Plant	39,000	-

Location	Project description	Request	Amended Bill
Iraq: Camp Adder	Wastewater Treatment & Collection System	9,800	9,800
Iraq: Camp Anaconda	Hazardous Waste Incinerator	4,300	4,300
Iraq: Camp Anaconda	Landfill	6,200	6,200
Iraq: Camp Anaconda	Power Plant	39,000	-
Iraq: Camp Anaconda	Urban Bypass Road (1/)	-	-
Iraq: Camp Constitution	Juvenile TIFRIC	11,700	11,700
Iraq: Camp Cropper	Brick Factory	9,500	-
Iraq: Camp Marez	Landfill	880	880
Iraq: Camp Ramadi	Incinerator (1/)	6,200	-
Iraq: Camp Ramadi	Landfill	880	880
Iraq: Camp Speicher	Aviation Navigation Facilities	13,400	13,400
Iraq: Camp Speicher	Landfill	5,900	5,900
Iraq: Camp Speicher	Military Control Point	5,800	5,800
Iraq: Camp Speicher	Power Plant	39,000	-
Iraq: Camp Speicher	Rotary Wing Parking Apron	49,000	49,000
Iraq: Camp Speicher	Wastewater Treatment & Collection Sys. (1/)	-	-
Iraq: Camp Taqqadum	Landfill	880	880
Iraq: Camp Warrior	Landfill	880	880
Iraq: Fallujah	Incinerator (1/)	5,500	-
Iraq: Fallujah	Landfill	880	880
Iraq: Mosul	Urban Bypass Road	43,000	-
Iraq: Qayyarah West	North Entry Control Point	11,400	11,400
Iraq: Qayyarah West	Perimeter Security Upgrade	14,600	14,600
Iraq: Qayyarah West	Power Plant	26,000	-
Iraq: Scania	Entry Control Point	5,000	5,000
Iraq: Scania	Water Storage Tanks	9,200	9,200
Iraq: Tikrit	Urban Bypass Road (1/)	-	-
Iraq: Victory Base	Entry Control Point (1/)	-	-
Iraq: Victory Base	Landfill	6,200	6,200
Iraq: Victory Base	Level 3 Hospital	13,400	13,400
Iraq: Victory Base	Wastewater Treatment & Collection System	9,800	9,800
Iraq: Victory Base	Water Treatment & Storage Phase II	18,000	18,000
Iraq: Various Locations	Facilities Replacement	72,000	72,000
Iraq: Various Locations	Overhead Cover - eGlass	135,000	135,000
Kuwait: Camp Arifjan	Communication Center	30,000	30,000
Worldwide: Unspecified	Planning and Design (GWOT)	64,200	52,800
Worldwide: Unspecified	Planning and Design (WIT)	14,600	14,600
Worldwide: Unspecified	Planning and Design (CDC) (1/)	6,000	6,000
	Total	1,581,500	1,432,700

1/ Requested or deleted by the Dept. of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.
2/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Facilities Replacement.—The amended bill recommends $72,000,000 to replace deteriorated expeditionary facilities at a variety of locations throughout Iraq. As CENTCOM has not provided Congress with a final plan for how these funds will be spent, bill language is included prohibiting the obligation or expenditure of these funds until CENTCOM submits a detailed spending plan, including a 1391 form for each project by location.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The amended bill recommends $423,357,000 for Military Construction, Navy and Marine Corps. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
CA: Camp Pendleton	11th Marine Regiment HQ, Amory, BEQ	34,970	34,970
CA: Camp Pendleton	5th Marine Regiment Addition, San Mateo	10,890	10,890
CA: Camp Pendleton	Armory Intelligence Battalion, 16 Area	4,180	4,180
CA: Camp Pendleton	Armory, Regiment & Battalion HQ, 53 Area	5,160	5,160
CA: Camp Pendleton	BEQ & Mess Hall HQ (13) Area	24,390	24,390
CA: Camp Pendleton	EOD Operations Facility	13,090	13,090
CA: Camp Pendleton	ISR Camp - Intelligence Battalion	1,114	1,114
CA: Camp Pendleton	JIEDDO Battle Courses (1/)	9,270	9,270
CA: Camp Pendleton	Military Police Company Facilities	8,240	8,240
CA: Twentynine Palms	Regimental Combat Team HQ Facility	4,440	4,440
CA: China Lake NAWS	JIEDDO Battle Courses (1/)	7,210	7,210
CA: Point Mugu	JIEDDO Battle Courses (1/)	7,250	7,250
CA: San Diego	Child Development Center (1/)	17,930	17,930
CA: San Diego MCRD	Recruit Barracks	2/	43,200
CA: Twentynine Palms	JIEDDO Battle Courses (1/)	11,250	11,250
FL: Whiting Field NAS	JIEDDO Battle Courses (1/)	780	780
MS: Gulfport NCBC	JIEDDO Battle Courses (1/)	6,570	6,570
NC: Camp Lejeune	Child Development Center (1/)	16,000	16,000
NC: Camp Lejeune	JIEDDO Battle Courses (1/)	11,980	11,980
NC: Camp Lejeune	Maintenance/Operations Complex 2/9	43,340	43,340
SC: Parris Island MCRD	Recruit Barracks	2/	19,900
VA: Yorktown NWS	JIEDDO Battle Courses (1/)	8,070	8,070
Djibouti: Camp Lemonier	CJTF-HOA HQ Facility	29,710	29,710
Djibouti: Camp Lemonier	Dining Facility	20,780	20,780
Djibouti: Camp Lemonier	Fuel Farm (1/)	4,000	4,000
Djibouti: Camp Lemonier	Full Length Taxiway (1/)	15,490	15,490
Djibouti: Camp Lemonier	Network Infrastructure Expansion	6,270	6,270
Djibouti: Camp Lemonier	Water Production	19,140	19,140
Djibouti: Camp Lemonier	Western Taxiway (1/)	2,900	2,900
Worldwide: Unspecified	Planning and Design (GTF)	7,491	7,491
Worldwide: Unspecified	Planning and Design (GWOT)	4,300	4,300
Worldwide: Unspecified	Planning and Design (CDC) (1/)	1,101	1,101
Worldwide: Unspecified	Planning and Design (JIEDDO) (1/)	2,951	2,951
	Total	360,257	423,357

1/ Requested by the Department of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.
2/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Joint IED Defeat Organization (JIEDDO) Battle Courses.—The amended bill recommends $65,331,000 to construct facilities for enhanced counter-improvised explosive device training in furtherance of the goals of the Joint IED Defeat Organization. These funds address a technical correction in the Administration's fiscal year 2008 Global War on Terror budget request and are offset by a rescission in title IX.

MILITARY CONSTRUCTION, AIR FORCE

The amended bill recommends $409,627,000 for Military Construction, Air Force. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
CA: Beale AFB	Child Development Center (1/)	17,600	17,600
FL: Eglin AFB	Child Development Center (1/)	11,000	11,000
NJ: McGuire AFB	JIEDDO Battle Courses (1/)	6,200	6,200
NM: Cannon AFB	Child Development Center (1/)	8,000	8,000
Afghanistan: Bagram AB	East Side Helo Ramp	44,400	44,400
Afghanistan: Bagram AB	ISR Ramp	26,300	26,300
Afghanistan: Bagram AB	Parallel Taxiway Phase 2	21,400	21,400
Afghanistan: Bagram AB	Strategic Ramp	43,000	43,000
Iraq: Balad AB	Fighter Ramp	11,000	11,000
Iraq: Balad AB	Foxtrot Taxiway	12,700	12,700
Iraq: Balad AB	Helicopter Maintenance Facilities	34,600	34,600
Kyrgyzstan: Manas AB	Strategic Ramp	30,300	30,300
Oman: Masirah AB	Expeditionary Beddown Site	6,300	6,300
Qatar: Al Udeid AB	Facility Replacements	40,000	40,000
Qatar: Al Udeid AB	Northwest (CAS) Ramp (1/)	60,400	60,400
Worldwide: Unspecified	Planning and Design (GWOT)	35,000	35,000
Worldwide: Unspecified	Planning and Design (CDC) (1/)	1,427	1,427
	Total	409,627	409,627

1/ Requested by the Department of Defense in the March 2008 Adjustments package.

Joint IED Defeat Organization (JIEDDO) Battle Courses.—The amended bill recommends $6,200,000 to construct facilities for enhanced counter-improvised explosive device training in furtherance of the goals of the Joint IED Defeat Organization. These funds address a technical correction in the Administration's fiscal year 2008 Global War on Terror budget request and are offset by a rescission in title IX.

MILITARY CONSTRUCTION, DEFENSE-WIDE

The amended bill recommends $1,009,600,000 for Military Construction, Defense-Wide. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
GA: Fort Benning	Hospital Replacement	1/	350,000
KS: Fort Riley	Hospital Replacement	1/	404,000
NC: Camp Lejuene	Hospital Addition/Alteration	1/	122,000
TX: Fort Sam Houston	Burn Rehabilitation Center	21,000	21,000
Qatar: Al Udeid AB	Logistics Storage Warehouse	6,600	6,600
Worldwide: Unspecified	Planning and Design (MTF)	1/	80,000
Worldwide: Unspecified	Planning and Design (Guam NH)	1/	26,000
	Total	27,600	1,009,600

1/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Medical Treatment Facilities Construction.—There is a great concern with the large backlog of needed recapitalization for medical treatment facilities for military service members and their families. The current Future Years Defense Plan (FYDP) for Tricare Management Activity military construction averages $412,000,000 per year for fiscal years 2009 through 2013, and much of this amount is accounted for by medical research facilities. With the services identifying recapitalization requirements ranging in the several billions of dollars, the current FYDP for medical construction is obviously and severely insufficient. The Department's inventory of medical treatment facilities is riddled with aging hospitals, clinics, and other facilities that do not meet current standards for medical care. Adding to this problem is the fact that several installations are adding thousands of personnel and dependents due to Base Realignment and Closure, the relocation of units from Europe and Korea to the United States, and the Growing the Force initiative that will add 92,000 active duty personnel to the Army and Marine Corps. The amended bill therefore recommends $982,000,000 for additional medical treatment facility construction. These funds will provide for the Army's top two priority hospital replacement projects in the United States as well as a top priority hospital addition/alteration for the Marine Corps. These funds also provide for the planning and design of a new hospital on Guam, the Navy's top priority hospital replacement project.

The Department of Defense is also directed to develop a comprehensive master plan for medical treatment facilities construction, to include both recapitalization and new requirements. This plan shall include a comprehensive priority list of projects for all services, provide a cost estimate for each project, supply data on the current state of facilities and the projected change in demand for services due to growth for each location on the list, indicate the extent to which identified construction requirements are programmed in the FYDP, and indicate the resources required for associated planning and design work. This report shall be submitted to the Committees on Appropriations no later than December 31, 2008.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

The amended bill recommends $11,766,000 for Family Housing Construction, Navy and Marine Corps. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
CA: Camp Pendleton	Public-Private Venture, Phase 6B	10,692	10,692
CA: Twentynine Palms	Public-Private Venture, Phase 2A	1,074	1,074
	Total	11,766	11,766

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The amended bill recommends $1,354,634,000 for Department of Defense Base Closure Account 2005 instead of $1,202,886,000 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 in addition provides $938,724,000 to fully fund the fiscal year 2008 budget for BRAC 2005.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

The amended bill recommends $100,000,000 for General Operating Expenses to implement the provisions of title III of this Act.

INFORMATION TECHNOLOGY SYSTEMS

The amended bill recommends $20,000,000 for Information Technology Systems to implement the provisions of title III of this Act, including support for any personnel increases within the Veterans Benefits Administration.

GENERAL PROVISION, THIS CHAPTER

The amended bill includes a general provision related to the Armed Forces Institute of Pathology.

CHAPTER 4—DEPARTMENT OF STATE AND FOREIGN OPERATIONS

SUBCHAPTER A—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

INTRODUCTION

The budget request totals $5,073,608,000 in emergency supplemental funds for fiscal year 2008, and the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) provided $1,473,800,000 for immediate requirements. The amended bill provides for Department of State and Foreign Operations a total of $5,073,608,000, the same as the pending budget request.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The budget request included $2,283,008,000 for Diplomatic and Consular Programs, of which $575,000,000 was appropriated in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for operations and security at the United States Embassy in Iraq.

The amended bill includes $1,606,808,000 for Diplomatic and Consular Programs, which is $101,200,000 below the pending request. Within the amount provided, $210,508,000 is for worldwide security protection. Funds for diplomatic and consular programs are to be allocated as follows:

DIPLOMATIC AND CONSULAR PROGRAMS

[$ in thousands]

Activity	Pending request	Amended bill	Change from request
Iraq Diplomatic Operations	1,545,608	1,295,000	−250,608
Afghanistan—Operations and Worldwide Security Protection	162,400	205,200	42,800
Pakistan—Operations	0	7,500	7,500
Western Hemisphere Travel Initiative	0	1,000	1,000
Global Worldwide Security Protection	0	48,108	48,108
Civilian Workforce Initiative	0	50,000	50,000
Total, Diplomatic and Consular Programs	1,708,008	1,606,808	−101,200

Afghanistan.—Within the total, the amended bill includes $205,200,000, which is $42,800,000 above the request, and is for necessary expenses for diplomatic and security operations in Afghanistan. Of this amount, $162,400,000 is for enhanced security operations, including additional high threat protection teams, increased overhead cover and physical security measures, replacement of armored vehicles, and local guard service. In addition, $24,000,000 is for the establishment of a Department of State-managed air transport capability in Afghanistan for Department of State and United States Agency for International Development (USAID) personnel to manage country programs, provide support for medical evacuation and other security-related operations. Finally, $18,800,000 is for support of operations and personnel for Provincial Reconstruction Teams (PRTs) in Afghanistan.

Pakistan.—The amended bill includes $7,500,000 for operations, security, and personnel engaged in diplomatic activities aimed at promoting economic development and political change in the Federally Administered Tribal Areas (FATA) along the Pakistan and Afghanistan border.

Iraq.—Within the total, $1,295,000,000 is for the diplomatic and security operations of the United States Mission in Iraq, which is $250,608,000 below the pending request. The cost of operations of the United States Embassy in Iraq totals $2,286,000,000 for fiscal year 2008 including $1,295,000,000 provided in this Act, $575,000,000 provided as bridge funding in Public Law 110–161 and $416,000,000 in funds carried over from prior year appropriations. Of that amount, nearly $900,000,000 is for supporting security requirements for diplomatic and development personnel in Iraq. The amended bill includes funding for mission operations, security, logistics support, information technology and operations of PRTs. Congress has provided an additional $196,543,000 since fiscal year 2006 for additional facilities requirements identified by the Department of State, as follows: extend the perimeter wall; construct a dining facility; construct additional housing; construct a tactical operations center for Diplomatic Security; construct a static guard camp; and construct overhead cover. The actual cost of building the New Embassy Compound (NEC) has reached a total of $788,543,000 to date.

The number of permanent and temporary personnel assigned to Iraq, with the exception of USAID, should be decreased to accommodate all personnel within the NEC and any improvements can be made with previously appropriated funds. USAID will play a critical role in assisting the Government of Iraq in effectively allocating its budgetary resources.

The additional $43,804,000 requested for follow-on projects for the NEC in Baghdad is not included. At least $77,027,000 in prior year funding programmed for follow-on projects is available for obligation and these funds should be used to provide secure housing for a smaller number of personnel.

None of the funds provided under this heading in this Act shall be made available for follow-on projects, other than the proposed funding for overhead cover. The Department should include a detailed plan for the use of funds for follow-on projects as part of the spending plan required by this Act.

Due to an extended accreditation and verification process and the addition of follow-on projects, occupancy of the NEC offices and housing has been delayed. This rigorous process to address and validate whether the NEC was constructed to code and contract specifications was supported. Now that the process is complete, direct occupancy of the offices and housing should proceed without delay in order to provide the maximum protection to United States personnel.

The benefits of co-location of the Departments of State and Defense in the NEC are recognized. However, the proposed New Office Building (NOB) and the Interim Office Building (IOB) reconfigurations are projected to delay occupancy of NEC offices by up to one year. Given the difficult security environment in Baghdad, this lengthy delay is not acceptable. The Departments of State and Defense are expected to consult with the Committees on Appropriations on options for moving forward with limited co-location plans in the most accelerated, secure, and cost effective manner. Any future construction in Iraq shall be subject to the Capital Security Cost Sharing Program, in the same manner as all other embassy construction projects worldwide.

There is a concern that private security contractors have been relied upon without the necessary authority, oversight, or accountability. The Department of State is directed to provide a report to the Committees on Appropriations not later than 45 days after enactment of this Act on the implementation status of each of the recommendations of the October 2007 report of the Secretary of State's Panel on Personal Protective Services. The Department of State is encouraged to aggressively review security procedures and seek the necessary authority to ensure that increased security is achieved.

Sudan.—The amended bill includes resources to support the diplomatic mission in Sudan including the United States Special Envoy for Sudan.

Local Guard Forces-Worldwide Security Protection.—The amended bill also includes $48,108,000 above the request for global worldwide security protection. The amount provided is available to restore 100 positions in the global diplomatic security guard force that were redirected to Iraq to address urgent security requirements for United States personnel elsewhere in the world.

Civilian Workforce Initiative.—The amended bill includes $50,000,000 to increase the civilian diplomatic capacity of the Department of State to meet the increasing and complex demands of diplomacy in the 21st century. Within the total, $30,000,000 is for the initial development and deployment of a civilian capacity to respond to post-conflict stabilization and reconstruction challenges and $20,000,000 is to strengthen capabilities of the United States diplomatic corps and promote broader engagement with the rest of the world, including expanding training and enhanced interagency collaboration.

The amended bill includes funds to replace Foreign Service positions worldwide which were previously moved to Iraq and to increase the number of positions participating in critical needs foreign language training. The Department of State has transferred approximately 300 Foreign Service positions from embassies around the world to Iraq and to associated language training, leaving key posts understaffed. These funds are to be used to support United States foreign policy in priority, understaffed regions, particularly South and East Asia, the Western Hemisphere, and Africa.

Funds made available for the civilian stabilization initiative are for the Active and Standby Response Corps portion of the initiative and to enhance operations of the Office of the Coordinator for Reconstruction and Stabilization. In addition to the funds provided to the Department of State, $20,000,000 is appropriated in this Act under the heading, ''Operating Expenses of the United States Agency for International Development'' to implement the USAID portion of the civilian stabilization initiative. The funding request for the Civilian Response Corps will be considered as part of the fiscal year 2009 appropriations process and none of the funds provided in this Act are to be used to implement the civilian response corps portion of the initiative.

Middle East Peace Process.—The diplomatic operations that accompany the Middle East peace process are supported in fiscal year 2008. The Department of State should consult with the Committees on Appropriations on the use of funds for this purpose.

Directorate of Defense Trade Controls.— Increased demands on the Directorate of Defense Trade Controls' Office of Defense Trade Controls Licensing have led to delays in license processing. The Secretary of State is directed to review the workload demands and staffing needs of the office and report any recommendations to the Committees on Appropriations not later than 45 days after enactment of this Act.

Western Hemisphere Travel Initiative.—The amended bill includes not less than $1,000,000 to expand public outreach efforts related to implementation of the Western Hemisphere Travel Initiative (WHTI). With WHTI implementation occurring as early as June 2009, there is concern about the lack of a comprehensive, coordinated plan between the Department of State, the Department of Homeland Security, and the United States Postal Service to broadly disseminate information to the traveling public concerning the final WHTI implementation requirements at the nation's land and seaports. The Department of State is encouraged to provide significantly increased outreach to border communities, including through radio, print media, and additional passport fairs.

Buying Power Maintenance Account.—The amended bill includes authority to transfer funds available in this Act, and in a prior Act, to the Buying Power Maintenance Account in accordance with section 24 of the State Department Basic Authorities Act, to manage exchange rate losses in fiscal year 2008.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes an additional $7,500,000 for Office of Inspector General at the Department of State, which is $7,500,000 above the pending request. Of the total, $5,000,000 is to enhance the Department of State Inspector General's oversight of programs in Iraq and Afghanistan, and $2,500,000 is for operations of the Special Inspector General for Iraq Reconstruction (SIGIR).

The Inspectors General of USAID, the Department of State, the Department of Defense, the Government Accountability Office, SIGIR, and the Special Inspector General for Afghanistan Reconstruction, to the maximum extent practicable, should coordinate and de-conflict all activities related to oversight of security, stability, and reconstruction programs in Iraq and Afghanistan. The Department of State or the USAID Office of Inspector General should be designated as the lead for any investigations or audits of worldwide programs as they relate to the specific programs in Iraq or Afghanistan.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill includes $76,700,000 for urgent embassy security, construction, and maintenance costs, which is $83,300,000 below the request. The funds are to construct 300 secure apartments and a secure office building, including the necessary perimeter security, utility, and dining facilities, for United States Mission staff in Afghanistan. Currently, there are a small number of permanent construction apartments and the majority of diplomatic and Mission personnel live in structures with limited protection. Additional funds for this purpose are provided in subchapter B.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill includes $53,000,000 for Contributions to International Organizations, which is for United States contributions to the UN Assistance Mission in Afghanistan and the UN Assistance Mission in Iraq, as requested.

The Department of State is directed, not later than 45 days after enactment of this Act, to provide a report to the Committees on Appropriations detailing total United States-assessed contributions, any arrears from prior years and potential arrears for fiscal years 2008 and 2009 for each of the organizations funded under this heading.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The budget request included $723,600,000 for Contributions for International Peacekeeping Activities, of which $390,000,000 of funds designated as an emergency was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for the United States Contribution to the United Nations/African Union hybrid peacekeeping mission to Darfur (UNAMID).

The amended bill includes $333,600,000 for UNAMID, which is the same as the request.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

The budget request included $80,000,000 for International Disaster Assistance. The State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) provided $110,000,000 for emergency humanitarian requirements.

The amended bill includes $200,000,000 for International Disaster Assistance, which is $200,000,000 above the pending request. These funds should be used to respond to urgent humanitarian requirements worldwide, including in countries severely affected by the international food crisis.

The amended bill also includes funds under this heading and the heading ''Development Assistance'' in subchapter B to help address the international food crisis. Programs should address both rural and urban food requirements. Funds are also available to augment humanitarian assistance to those affected by Cyclone Nargis in Burma, and the recent earthquake in China.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The budget request included $61,800,000 for Operating Expenses of the United States Agency for International Development, of which $20,800,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for operations in Iraq.

The amended bill includes $142,000,000 for Operating Expenses of the United States Agency for International Development.

Of the funds provided under this heading, the amended bill includes $41,000,000 to continue support for security needs in Iraq and Afghanistan, which is the same as the request. In addition, $31,500,000 is included to increase support for staffing, security, and operating needs in Afghanistan and Sudan, and $19,500,000 in Pakistan.

The amended bill also includes $20,000,000 to support the development of the Active and Standby Response Corps portion of the Civilian Stabilization Initiative and none of the funds provided in this Act may be used to develop the Civilian Response Corps. Additional funding for this initiative is provided in the ''Diplomatic and Consular Programs'' account for the Department of State portion of the initiative.

In addition, the amended bill includes $30,000,000 to enable USAID to hire above attrition in fiscal year 2008. The Administration's request for fiscal year 2009 includes $92,000,000 for hiring 300 USAID foreign service officers as part of a three-year initiative. Funding provided in this Act is intended to support the hiring of at least 85 additional Foreign Service officers in fiscal year 2008 in order to begin rebuilding the capacity of the Agency to carry out its mission. USAID is directed to consult with the Committees on Appropriations on the use of these funds and to recruit mid-career personnel. As USAID seeks to strengthen its workforce, USAID is encouraged to consult with the Department of Defense on ways to benefit from the experience of retiring officers.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

OFFICE OF THE INSPECTOR GENERAL

The amended bill includes an additional $4,000,000 for the United States Agency for International Development Office of Inspector General to support increased oversight of programs in Iraq and Afghanistan.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The budget request included $2,217,000,000 for Economic Support Fund (ESF), of which $208,000,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for emergency requirements in the West Bank and in North Korea, as requested.

The amended bill includes a total of $1,747,000,000 for ESF. Of the funds requested under ESF, $75,000,000 is provided under the heading Democracy Fund for political development programs for Iraq. Funds are to be allocated as follows:

ECONOMIC SUPPORT FUND

[$ in thousands]

Country and region	Amended bill
Iraq	440,000
Afghanistan	859,000
Mexico	20,000
Central America	15,000
West Bank	100,000
North Korea	53,000
Jordan	150,000
Sudan	45,000
Africa	40,000
Bangladesh	25,000
Total	1,747,000

Iraq.—The amended bill includes $440,000,000 for Iraq, which is $357,000,000 below the request. The sums provided should enable the Department of State and USAID to continue programs in Iraq through the end of fiscal year 2008 and into the first two quarters of fiscal year 2009.

After providing more than $45,000,000,000 to help rebuild Iraq, the United States should seek to reduce bilateral assistance levels, and correspondingly to reduce the number of Department of State personnel involved in the reconstruction effort who are located in Iraq. Continued United States assistance for Iraq is supported, but the Government of Iraq is required to match such assistance dollar-for-dollar, with certain exceptions.

Funds provided for Iraq are to be allocated as follows:

IRAQ PROGRAMS

[$ in thousands]

Activity	Pending FY 2008 request	Amended bill	Change from request
Provincial Reconstruction Teams (PRTs)	165,000	140,000	−25,000
Provincial Reconstruction Development Councils	100,000	85,000	−15,000
Local Governance Program	65,000	55,000	−10,000
Community Stabilization Program (CSP)	155,000	100,000	−55,000

IRAQ PROGRAMS—Continued

[$ in thousands]

Activity	Pending FY 2008 request	Amended bill	Change from request
Community Action Program (CAP)	0	75,000	75,000
Infrastructure Security Protection for Oil, Water and Electricity	70,000	0	−70,000
Operations and Maintenance of Key USG-Funded Infrastructure	134,000	10,000	−124,000
Iraqi-American Enterprise Fund	25,000	0	−25,000
Provincial Economic Growth (including Agriculture and Microfinance)	0	40,000	40,000
National Capacity Development	248,000	70,000	−178,000
Marla Fund	0	5,000	5,000
Total	797,000	440,000	−357,000

Community Action Program (CAP).—The amended bill includes $75,000,000 for continued support for the Community Action Program.

Community Stabilization Program (CSP).—Within the amount provided for Iraq, $100,000,000 is for the CSP, which is $55,000,000 below the request. Recent findings of a March 18, 2008 USAID Inspector General audit (E–267–08–001–P) of possible fraud and misuse of some of the funds under this program are of concern. Therefore the amended bill withholds 50 percent of funding until the Secretary of State certifies and reports that USAID is implementing recommendations contained in the audit to ensure proper use of funds.

Enterprise Fund.—The amended bill includes no funding for an enterprise fund for Iraq and includes a general provision specifically denying the establishment of such an enterprise fund from this or any prior Acts.

Infrastructure Security Protection for Oil, Water, and Electricity.—The amended bill does not include funding for these functions, which should be supported by the Government of Iraq.

Operations and Maintenance of Key U.S. Government-Funded Infrastructure.—The amended bill includes $10,000,000 for Operations and Maintenance of key United States government-funded infrastructure, which is $124,000,000 below the request. These functions should be funded by the Government of Iraq and this Act includes sufficient funding to allow the United States to provide technical assistance and training. In addition, the amended bill conditions the funds on the signing and implementation of an asset transfer agreement between the United States and Iraq.

Marla Ruzicka Iraqi War Victims Fund.—The amended bill includes $5,000,000 for the Marla Ruzicka Iraqi War Victims Fund for continued assistance for Iraqi civilians who suffer losses as a result of the military operations.

Provincial Economic Growth.—The amended bill includes $40,000,000 for provincial economic growth activities, of which $10,000,000 should be available for programs to assist vulnerable Iraqi minority groups, including Christians. The Secretary of State should designate staff at United States Embassy Baghdad to oversee and coordinate such assistance.

National Capacity Development (NCD).—Within the amount provided in ESF for Iraq, $70,000,000 is provided for NCD, which is $178,000,000 below the request.

Afghanistan.—The amended bill includes $859,000,000 in ESF for Afghanistan, which is $25,000,000 above the request.

USAID is directed to review its reconstruction efforts in Afghanistan; focus its assistance, including capacity building, through local Afghan entities; give greater attention to accountability and monitoring to minimize corruption; and emphasize programs which directly improve the economic, social, and political status of Afghan women and girls. Funds provided for Afghanistan are to be allocated as follows:

AFGHANISTAN PROGRAMS

[$ in thousands]

Activity	Pending FY 2008 request	Amended bill	Change from request
Roads	329,000	200,000	−129,000
Power	175,000	150,000	−25,000
Trade and Investment	5,000	7,000	2,000
Rural Development/Alternate Livelihoods	0	65,000	65,000
Governance and Capacity Building	275,000	230,000	−45,000
2009 Elections	100,000	70,000	30,000
Provincial Reconstruction Teams (PRTs)/Provincial	0	50,000	50,000
Health and Education	50,000	75,000	25,000
Civilian Assistance Program	0	10,000	10,000
NATO Fund	0	2,000	2,000
Total	834,000	859,000	25,000

Roads.—The amended bill includes $200,000,000 for roads, which is $129,000,000 below the request. An additional $300,000,000 for road construction in Afghanistan has been requested through the Department of Defense under the Commanders Emergency Response Program.

Power.—The amended bill includes $150,000,000 for power, which is $25,000,000 below the request. The request includes funding for gas and diesel power projects and there is a concern that diesel generators are costly to maintain and will exacerbate Kabul's already heavily polluted air. The completion of the north-south transmission line to enable Afghanistan to purchase electricity from its northern neighbors for distribution to other areas of the country is supported. Funding for the Northern Electrical Power System or the Shebergan Gas-Fired Plant is not included.

The World Bank should play a larger role in financing such infrastructure projects. It is noted that Afghanistan has considerable potential for small hydro and solar power development to service Afghanistan's many remote communities that have no other access to electricity, and directs that not less than $15,000,000 of the funds be used for renewable energy projects in rural areas.

Rural Development and Alternative Livelihoods.—The amended bill includes $65,000,000 for rural development and alternative livelihood programs and an additional $65,000,000 for counternarcotics under the ''International Narcotics Control and Law Enforcement'' account to expand and scale up counternarcotics programs in Afghanistan. The Administration did not request funding for counternarcotics. The Secretary of State is directed to consult with the Committees on Appropriations on the use of these funds.

Provincial Reconstruction Teams.—The amended bill provides $50,000,000 for PRTs in Afghanistan. The Administration did not request funds for this purpose.

Governance and Capacity Building.—The amended bill provides $230,000,000 for governance and capacity building programs, which is $45,000,000 below the request, to fund rule of law, human rights, local and national capacity building, and elections assistance. Of the amounts provided, not less than $65,000,000 shall be for the National Solidarity Program to support small-scale development initiatives; and not less than $70,000,000 shall be for preparations for the 2009 elections. The funding shall be programmed in a manner consistent with the Afghan National Development Strategy.

Civilian Assistance.—The amended bill includes $10,000,000 for USAID's Afghan Civilian Assistance Program to continue assistance for civilians who have suffered losses as a result of the military operations, and $2,000,000 for the NATO/ISAF Post-Operations Humanitarian Relief Fund.

Pakistan.—The amended bill does not include $60,000,000 requested for Pakistan. These needs are addressed in funding appropriated in the fiscal year 2009 bridge.

Jordan.—The amended bill includes $150,000,000 for economic assistance to Jordan, which is $150,000,000 above the request. The government of Jordan remains a key ally and has played a leading role in supporting peace initiatives in the Middle East. Programming of these resources should be done in consultation with the Government of Jordan and refugee relief organizations and should be used to meet the needs of Iraqi refugees.

West Bank.—The amended bill includes not more than $100,000,000 for economic assistance for the West Bank, which is $95,000,000 below the request. The Administration has an unobligated balance of $120,000,000 for economic assistance for the West Bank from funds appropriated in prior acts. The additional sums appropriated in this Act will provide sufficient resources to continue programs for an additional year at the current rate of expenditure. The Department of State is directed to provide a report to the Committees on Appropriations not later than 90 days after the enactment of this Act on how United States economic assistance for the West Bank supports the larger Palestinian Reform and Development Plan as well as a description of other donor support of this plan. The report should describe how assistance from the United States and other donors will improve conditions in the West Bank, including through job creation and housing programs.

Sudan.—The amended bill includes $45,000,000 for assistance for Sudan to support election-related activities.

Africa.—The amended bill includes $40,000,000 for assistance for Africa to address political transitions in Kenya, Zimbabwe, the Democratic Republic of the Congo, northern Uganda, and eastern Chad.

Mexico.—The amended bill includes $20,000,000 for assistance for Mexico for institution building and support of civil society. Funding for these purposes was requested through the International Narcotics and Law Enforcement (INCLE) account. The amended bill includes $5,000,000 for human rights training for police, prosecutors, and prison officials; $3,000,000 for victim and witness protection; and $3,000,000 to support NGOs and civil society. The amended bill also includes $5,000,000 for a literacy program for local police. USAID is encouraged to work with non-governmental organizations, civil society, and local police to replicate the literacy program being implemented in Nezahualcoyotl, Mexico. The amended bill also includes funding for the Office of the UN High Commissioner for Human Rights in Mexico. The Department of State is directed to work with the UN and civil society organizations in Mexico to promote respect for international human rights at all levels of the Mexican Government.

Central America.—The amended bill includes $15,000,000 for Central America in fiscal year 2008, in addition to funds otherwise made available for assistance for countries in Central America for a program to be called the ''Economic and Social Development Fund for Central America'', to be administered by USAID, in consultation with the Department of State. The purpose of the program is to promote economic and social development and good governance in targeted, low-income areas, including rural communities, where people are particularly

vulnerable to drug trafficking and related violent crime. These funds should support programs that emphasize community initiatives and public-private partnerships. United States funds should be matched with contributions from public and private sources to the maximum extent practicable. USAID is directed to consult with the Committees on Appropriations prior to the obligation of these funds.

North Korea.—The amended bill includes up to $53,000,000 for assistance for North Korea in support of the goals of the Six-Party talks, which is the same as the request. This is in addition to the $53,000,000 appropriated in division J of Public Law 110–161. The recommendation also includes a proviso conditioning the obligation of the assistance for North Korea on the Secretary of State reporting to the Committees on Appropriations that North Korea is continuing to fulfill its commitments under the Six-Party Talks agreements.

Bangladesh.—The amended bill includes $25,000,000 for assistance for Bangladesh for cyclone recovery and reconstruction assistance.

DEPARTMENT OF STATE

DEMOCRACY FUND

The amended bill includes $75,000,000 for Democracy Fund programs, requested under the heading ''Economic Support Fund'', for democracy activities in Iraq. These funds are intended to be made available through nongovernmental organizations, including the National Endowment for Democracy and the United States Institute for Peace.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The amended bill includes $419,300,000 for International Narcotics Control and Law Enforcement activities in Afghanistan, Iraq, Mexico, Central America, Haiti, the Dominican Republic, and the West Bank, which is $314,700,000 below the request.

Iraq.—The amended bill provides $85,000,000 for Iraq for justice and rule of law programs, which is $74,000,000 below the request. Funding for prison construction is not included.

Afghanistan.—The amended bill includes $65,000,000, which is $65,000,000 above the request, to accelerate and expand programs to strengthen counternarcotics efforts, to improve the training of the Afghan police, including border police, to advance the development of institutional capacity professionalism of the justice sector, and to help facilitate cooperation between the police and the judiciary at both the national and regional levels. The Department of State is directed to report to the Committees on Appropriations not later than 180 days after enactment of this Act on the level of counternarcotics cooperation by the Government of Afghanistan at the national and regional level and should detail, nationally and by province, the steps that the Government of Afghanistan is taking to arrest and prosecute leaders of Afghan drug cartels; disarm and disband private militias; and end corruption among national and provincial police forces.

Central America.—The amended bill includes $29,300,000 for assistance for Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama, and an additional $5,000,000 for Haiti and the Dominican Republic under the Merida Initiative. Although funding was requested only through the INCLE account, funding for the Merida Initiative is provided in the accounts from which such activities are traditionally funded. The amended bill provides funding for specialized police training and non-lethal equipment to strengthen the law enforcement and criminal justice institutions for the purpose of combating drug trafficking and related violent crime and increasing the capacity and professionalism of Central American police forces. The impunity within the military and police forces of several of these countries is of concern, and their justice systems are corrupt and ineffective. There is a concern that United States assistance may be wasted or misused and therefore the Secretary of State is directed to submit a report, prior to the obligation of funds, on mechanisms in place to ensure adequate monitoring of funds.

The Secretary of State is directed to submit a report not more than 90 days after enactment of this Act detailing efforts by the Guatemalan Government to propose and promote legislation to raise the necessary revenues in Guatemala to fund comprehensive judicial and law enforcement reform.

The omission of Haiti and the Dominican Republic from the request for the Merida Initiative makes it more likely that these vulnerable countries would become increasingly favored transit routes for drug traffickers. The amended bill includes $2,500,000 for Haiti and $2,500,000 for the Dominican Republic as part of the Merida Initiative to support counternarcotics and border security programs, and institution-building and rule of law programs.

Mexico.—There is a shared responsibility between the United States and Mexico to combat drug trafficking and related violent crime. The amended bill supports a cooperative partnership between Mexico and the United States and supports coordinated security. The amended bill includes $210,000,000 to enable the Government of Mexico to expand and modernize its immigration database and document verification system, establish secure communications for Mexican national security agencies, procure non-intrusive inspection equipment, and support interdiction efforts as well as institution- building. The amended bill includes $10,000,000 for demand reduction and drug rehabilitation activities; $3,000,000 to provide technical and other assistance to enable the Government of Mexico to put into service a unified national police registry; and not more than $24,000,000 for program development and support.

Corruption and impunity within Mexico's armed forces and police are pervasive. Additionally, Mexican law enforcement and intelligence agencies have frequently persecuted legitimate groups for engaging in peaceful dissent. Recommendations of the National Human Rights Commission are often ignored and investigations of violations of human rights by Mexican military and police forces rarely result in convictions. Therefore, the Secretary of State is directed to report to the Committees on Appropriations prior to the obligation of assistance that mechanisms are in place in order to ensure proper vetting of recipients of United States assistance. Additionally, the amended bill provides resources to ensure a comprehensive database for vetting military and police forces shall be established by the United States Embassy in Mexico City and continually updated.

There is concern with the failure to investigate and prosecute the police officers responsible for human rights violations, including rape and sexual violence against women, at San Salvador Atenco on May 3–4, 2006, and in Oaxaca between June and December 2006. These and other such violations by members of the Mexican armed forces and police forces have been documented and require thorough, credible and transparent investigation and prosecution by the Mexican Attorney General. Additionally, the state and Federal investigations into the October 27, 2007, killing in Oaxaca of American citizen Bradley Will have been flawed and the Secretary of State is directed, not later than 45 days after enactment of this Act and 120 days thereafter, to submit a report to the Committees on Appropriations detailing progress in conducting a thorough, credible, and transparent investigation to identify the perpetrators of this crime and bring them to justice. The Department of State should work with relevant Federal government agencies of the United States to assist in the investigation of this case.

West Bank.—The amended bill includes $25,000,000 for ongoing training of vetted units of the Palestinian National Security Forces, which is the same as the request.

MIGRATION AND REFUGEE ASSISTANCE

The budget request included $230,000,000 for Migration and Refugee Assistance, of which $200,000,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for emergency refugee requirements in Iraq and the West Bank.

The amended bill includes $300,000,000 for Migration and Refugee Assistance, which is $270,000,000 above the pending request. Funds should be made available to meet unmet global refugee needs, including to assist Iraqi refugees in Jordan, Syria, Lebanon, Egypt, and the surrounding region, as well as internally displaced persons in Iraq. Funds may also be used, if necessary, for the admissions costs of Iraqis granted special immigrant status under the Special Immigrant Visa program authorized by the National Defense Authorization Act of 2008. In addition, funds may be used to offset administrative costs associated with the expanded requirements of the Iraqi refugee program, in consultation with the Committees on Appropriations.

The humanitarian crisis involving Iraqi refugees and internally displaced persons is of concern and the Government of Iraq has dedicated insufficient resources to assist this most vulnerable segment of the Iraqi population. The Department of State is directed to urge the Government of Iraq to provide a substantial increase in funding for humanitarian assistance to the Iraqi refugee population residing in the region and within the country. In addition, the Secretary of State should ensure that the Senior Coordinator for Iraqi Refugee Issues gives particular attention to the needs of vulnerable minority groups, including ethnic and religious minorities.

The welfare and security of the 7,900 Lao Hmong in the Thai military camp in Petchaboon, northern Thailand is of concern and the Government of Thailand is urged to support a transparent screening process to identify those who have a legitimate fear of return to Laos. Any attempt to force the return of Hmong refugees to Laos is strongly opposed.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The amended bill includes $25,000,000 for the United States Emergency Refugee and Migration Assistance Fund to prevent depletion of this emergency fund.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The amended bill includes $11,200,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, which is $6,200,000 above the request.

Of these funds, $5,000,000 is for presidential protective service support in Afghanistan, which is the same as the request.

Central America.—The amended bill also includes $6,200,000 for the Merida Initiative for the countries of Central America, which is $6,200,000 above the request. Although funding for these purposes was requested only through the INCLE account, funding has been provided in the NADR account, from

which such activities are traditionally funded.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The amended bill includes $72,500,000 for Foreign Military Financing Program, which is $72,500,000 above the request.

Central America.—The amended bill includes $6,000,000 to augment the ongoing naval cooperation program and maritime security assistance of Operation Enduring Friendship. Funds are provided to strengthen the ability of the countries of Central America to secure their maritime domains, and complement existing regional systems and programs to improve maritime security and interdiction capabilities.

Mexico.—The amended bill includes $66,500,000 in support of a gradual strengthening of military-to-military cooperation between the United States and Mexico.

SUBCHAPTER B—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

The budget request totals $3,605,000,000 in emergency supplemental funds for fiscal year 2009. The amended bill provides a total of $3,600,000,000 for the Department of State, Foreign Operations, and related programs for fiscal year 2009 emergency supplemental requirements, which is $5,000,000 below the request.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The amended bill includes $737,900,000 for Diplomatic and Consular Programs. Within this amount, $78,400,000 is available for worldwide security protection and not more than $581,500,000 is available as a bridge fund for Iraq operations.

To meet increased security and personnel requirements, the amended bill includes $91,400,000 for Afghanistan, $7,000,000 for Pakistan, $3,000,000 for Somalia, and $15,000,000 for Sudan. In addition, the amended bill includes $40,000,000 to continue the support of new positions to develop language and other critical skills of the diplomatic corps and for civilian post-conflict stabilization initiatives.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes $57,000,000 for the Office of the Inspector General at the Department of State, of which $5,500,000 is to continue oversight of programs in Iraq and Afghanistan.

Special Inspector General for Iraq Reconstruction (SIGIR).—The amended bill includes $46,500,000 for the SIGIR for continued oversight of United States reconstruction programs in Iraq, as authorized by section 3001 of Public Law 108–106.

Special Inspector General for Afghanistan Reconstruction (SIGAR).—The amended bill includes $5,000,000 for the SIGAR, for which no funds were requested, and which is authorized by section 1229 of Public Law 110–181. Such funds shall be used for oversight of United States reconstruction programs in Afghanistan. None of the funds shall be used to duplicate investigations that have been conducted or to support offices or systems of inspectors general at the Department of State or USAID. The SIGAR should co-locate staff and ''back office'' support systems with other inspectors general to the extent feasible.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill includes $41,300,000 for urgent embassy security, construction and maintenance costs. Funds should be used to construct safe and secure office space for the increasing number of diplomatic and development personnel living and working in Kabul, Afghanistan.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill includes $75,000,000 for Contributions to International Organizations.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The amended bill includes $150,500,000 for Contributions for International Peacekeeping Activities to fund the Administration's revised estimate of the United States-assessed contribution to international peacekeeping.

RELATED AGENCIES

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTNG OPERATIONS

The amended bill includes $8,000,000 for International Broadcasting Operations.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

GLOBAL HEALTH AND CHILD SURVIVAL

The amended bill includes $75,000,000 for Global Health and Child Survival to continue programs to combat avian influenza.

DEVELOPMENT ASSISTANCE

Food Security Initiative.—The amended bill includes $200,000,000 for Development Assistance, which is for a new Food Security Initiative to promote food security in countries affected by significant food shortages, including programs to assist farmers to increase crop yields. Of this amount, up to $50,000,000 should be used for local and regional purchase. The Secretary of State is directed to submit a report to the Committees on Appropriations not later than 45 days after enactment of this Act, and prior to the initial obligation of funds, on the proposed uses of funds to alleviate starvation, hunger, and malnutrition overseas, including a list of those countries facing significant food shortages.

INTERNATIONAL DISASTER ASSISTANCE

The amended bill includes $200,000,000 for International Disaster Assistance to meet urgent humanitarian requirements worldwide, including support for critical needs in Bangladesh. A portion of these funds should be used for assistance for internally displaced persons in Iraq and Afghanistan. In addition, funds are available under this heading to assist in the response to the international food crisis.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The amended bill includes $93,000,000 for Operating Expenses of the United States Agency for International Development to address staffing, security, and operating needs.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

The amended bill includes $1,000,000 for Operating Expenses of the United States Agency for International Development Office of Inspector General.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The amended bill includes $1,147,300,000 for Economic Support Fund. The amended bill includes funding to address critical health, economic, and security needs. These funds are to be allocated as follows:

ECONOMIC SUPPORT FUND

[$ in thousands]

Country and region	Amended bill
Iraq	100,000
Afghanistan	455,000
Pakistan	175,000
West Bank	150,000
North Korea	15,000
Jordan	100,000
Sudan	25,000
Democratic Republic of the Congo	10,000
Kenya	25,000
Uganda	15,000
Zimbabwe	15,000
Chad	5,000
Central African Republic	2,000
Bangladesh	50,000
Burma	5,300
Total	1,147,300

Funds made available for Burma should be used for humanitarian programs along the Thai-Burma border.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The amended bill includes $204,500,000 for International Narcotics Control and Law Enforcement activities in Iraq, Afghanistan, the West Bank, Mexico, and Africa.

MIGRATION AND REFUGEE ASSISTANCE

The amended bill includes $350,000,000 for Migration and Refugee Assistance. Funds are available to respond to urgent humanitarian and refugee admissions requirements, including those involving refugees from Iraq, Afghanistan, and central Africa.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The amended bill includes $4,500,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, for humanitarian demining in Iraq.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The amended bill includes $170,000,000 for the Foreign Military Financing Program, of which $100,000,000 is for assistance for Jordan and up to $50,000,000 is for assistance for Mexico.

PEACEKEEPING OPERATIONS

The amended bill includes $85,000,000 for Peacekeeping Operations for programs in Africa to address needs beyond those projected in the fiscal year 2009 budget request, including for Darfur.

SUBCHAPTER C—GENERAL PROVISIONS, THIS CHAPTER

The amended bill includes the following general provisions for this chapter:

EXTENSION OF AUTHORITIES

Section 1401 extends certain authorities necessary to expend Department of State and foreign assistance funds.

AFGHANISTAN

Section 1402 imposes certain conditions and limitations on assistance for Afghanistan and requires a report.

WEST BANK

Section 1403 directs the Department of State to provide a report to the Committees on Appropriations not later than 90 days after enactment of this Act, and 180 days thereafter, on the Palestinian security assistance program.

MEXICO

Section 1404 sets a ceiling on funding for Mexico at $400,000,000 and provides funding in the accounts through which such activities are traditionally funded. The provision also provides a restriction on the use of funding for budget support or cash payments and includes a limitation of 25 percent of the funding provided under the headings ''Foreign

Military Financing Program'' and ''International Narcotics Control and Law Enforcement'' to the armed forces and police until the Secretary of State certifies certain conditions have been met.

CENTRAL AMERICA

Section 1405 sets a floor of $61,500,000 on funding for the countries of Central America, Haiti and the Dominican Republic and provides a restriction on the use of funding for budget support or cash payments. Additionally, the provision restricts obligation of 25 percent of the funding provided under the headings ''Foreign Military Financing Program'' and ''International Narcotics Control and Law Enforcement'' until certain conditions are met.

BUYING POWER MAINTENANCE ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Section 1406 provides authority to utilize $26,000,000 from appropriations for Diplomatic and Consular Programs from a prior Act and authority to transfer up to an additional $74,000,000 of the funds made available by this Act to the Buying Power Maintenance Account to manage exchange rate losses in fiscal year 2008. The Department of State shall consult on any proposed transfers resulting from this authority. The Department of State estimates the impact of currency fluctuations to be at least $260,000,000 on United States diplomatic operations worldwide.

In addition, the provision recommends authority to transfer unobligated and expired balances after fiscal year 2008 into the Buying Power Maintenance Account to address future exchange rate losses. The Secretary of State shall submit a report to the Committees on Appropriations not later than October 15, 2008 on the amount transferred by this authority in this or any fiscal year, the total amount of exchange rate losses in fiscal year 2008, and the accumulated impact of losses from prior years.

RESCISSIONS

Section 1407 rescinds prior year funds and makes them available for a contribution to the World Food Program and for programs in the INCLE account.

ALLOCATIONS

Section 1408 requires that funds in the specified accounts shall be allocated as indicated in the respective tables in this report. Any change to these allocations shall be subject to the regular notification procedures of the Committees on Appropriations.

REPROGRAMMING AUTHORITY

Section 1409 allows for reprogramming of funds made available in prior years to address critical food shortages, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPENDING PLAN AND NOTIFICATION PROCEDURES

Section 1410 requires the Secretary of State to provide a detailed spending plan to the Committees on Appropriations on the uses of funds appropriated in this chapter. The language also provides that the funds appropriated in subchapter B are subject to the regular notification procedures of the Committees on Appropriations.

TERMS AND CONDITIONS

Section 1411 establishes that unless designated otherwise in this chapter, the terms and conditions contained within the State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110–161) shall apply to funds appropriated by this chapter.

TITLE II—DOMESTIC MATTERS

CHAPTER 1—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes $210,000,000 for increased costs associated with the poor management of the 2010 Decennial Census. Within the funds provided, not less than $50,300,000 shall be used to restore funding associated with the approved March 26, 2008 reprogramming within the Bureau of Census. Funds transferred pursuant to the reprogramming to address immediate shortfalls within the Field Data Collection Automation contract from the American Community Survey, Census Coverage Measurement activities, and other Census activities may result in increased risk and other unintended consequences to other parts of the Census. The $50,300,000 shall be available solely to complete previously planned activities and address vacancies in the aforementioned areas in order to reduce risk and ensure a successful 2010 Decennial Census.

The Census Bureau shall submit to the Committees on Appropriations of the Senate and the House of Representatives, within 30 days of enactment of this Act, a detailed plan showing a timeline of milestones and expenditures for the 2010 Decennial Census, and shall include a quantitative assessment of the associated risk to the program as it is currently constituted. In addition, the Inspector General shall submit quarterly reports to the Committees on Appropriations, until the conclusion of the 2010 Decennial Census, detailing the progress of the revised plan for the execution of the 2010 Decennial Census and any unanticipated slippages from the revised 2010 milestones, as well as reassessing the associated risk to the program. The Census Bureau is directed to provide the Inspector General with any required information so that the quarterly reports can begin 60 days after submission of the plan.

Because rising costs associated with the 2010 Decennial Census and the Department's and the Bureau's lack of contract oversight are cause for particular concern, the bill includes not less than $3,000,000 for the Department's Office of the Inspector General for Census contract oversight activities and not less than $1,000,000 solely for a reimbursable agreement with the Defense Contract Management Agency to review and improve Census contract management.

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The amended bill includes $178,000,000 for additional costs of the Bureau of Prisons (BOP) related to the custody and care of inmates and the maintenance and operation of correctional and penal institutions. The BOP has been chronically underfunded in recent budget requests, due to consistently underestimated growth in inmate populations and inadequate funding requests for medical expenses. As a result, BOP facilities face rising staff-to-inmate ratios, placing corrections officers and inmates at unacceptable risk of violence. The amended bill includes funding for FCI Pollock activation costs and for inmate drug abuse treatment required by law. The Administration is urged to re-estimate BOP fixed costs and prisoner population for fiscal year 2009 and to provide the House and Senate Committees on Appropriations with those estimates no later than May 31, 2008. Further, the BOP is directed to notify the Committees of current staff-to-inmate ratios at all Federal prisons on a monthly basis.

CHAPTER 2—ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

Public Law 109–148, the 3rd emergency supplemental appropriations act of 2006, Public Law 109–234, the 4th emergency supplemental appropriations act of 2006, and Public Law 110–28, the emergency supplemental appropriations act of 2007, provided funds to repair and restore hurricane damaged projects, accelerate completion of New Orleans area flood and storm damage reduction projects, and provide 100-year storm protection for the greater New Orleans area. The scope and magnitude of the work required has increased with time. The current cost estimate requires $5,761,000,000 in additional Federal funds and a non-Federal cost-share of $1,526,000,000.

The Administration requested this funding under the Construction account in the fiscal year 2009 budget. The amended bill provides the full amount of the request as a supplemental appropriation to ensure the existing schedule for completion of 100-year protection for the greater New Orleans area by 2011 is met. However, $2,926,000,000 is included under Flood Control and Coastal Emergencies in order to provide continuity in appropriations for projects to repair, restore, and accelerate completion of the levels of protection authorized prior to Hurricane Katrina. None of the funds provided shall be available until October 1, 2008.

CONSTRUCTION

The amended bill includes $2,835,000,000 for Construction. Within the recommended funds, $1,077,000,000 is provided to complete the 100-year storm protection for the Lake Pontchartrain and Vicinity project; $920,000,000 is provided to complete the 100-year storm protection for the West Bank and Vicinity project; and $838,000,000 is provided for elements of the Southeast Louisiana Urban Drainage project that are within the geographic perimeter of the West Bank and Vicinity projects and the Lake Pontchartrain and Vicinity project.

FLOOD CONTROL AND COASTAL EMERGENCIES

The amended bill includes $2,926,000,000 for completion of repair and restoration and accelerated work to authorized levels of protection in surrounding areas. The funding provides, at full Federal expense, the following amounts: $704,000,000 for pumps and closures at outfall canals; $90,000,000 to storm-proof pump stations; $459,000,000 to armor levees and floodwalls; $53,000,000 to improve protection at the Inner Harbor Navigation Canal; $456,000,000 to complete work to incorporate non-Federal levees in Plaquemines Parish into the Federal system; $412,000,000 to reinforce or replace floodwalls on the Lake Ponchartrain and Vicinity and West Bank and Vicinity Projects; $393,000,000 to repair and restore authorized protections and floodwalls; and $359,000,000 to complete the authorized protection for the Lake Ponchartrain and Vicinity and West Bank and Vicinity Projects. The amended bill includes a provision authorizing a reallocation of funds when necessary to accomplish the established goals, subject to the approval of the House and Senate Committees on Appropriations.

CHAPTER 3—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The amended bill provides $110,000,000 for Unemployment Compensation State Operations to compensate the States for the administrative costs of processing the Unemployment Insurance (UI) claims workload for the balance of fiscal year 2008. New UI claims are increasing, reaching a level in March 2008 nearly 19 percent greater than the previous year. States are beginning to experience service degradation in the form of call center delays for claimants, waiting times for adjudication of disputed claims, and reductions in program integrity activities, tax collection, and tax audits. While funding in the Consolidated Appropriations Act, 2008 is sufficient to cover the costs of processing 2.4 million Average Weekly Insured Unemployment (AWIU), claims have already climbed above 2.8 million AWIU. The amount provided will compensate States for the claims workload estimated by the Department of Labor up to the point where additional funds are released under a legislated trigger.

CHAPTER 4—LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

The amended bill provides the customary death gratuity to Annette Lantos, widow of Tom Lantos, late a Representative from the State of California.

TITLE III—VETERANS EDUCATIONAL ASSISTANCE

Title III of the amended bill includes provisions designed to expand the educational benefits for men and women who have served in the armed forces since the terrorist attacks of September 11, 2001. The provisions will closely resemble the educational benefits provided to veterans returning from World War II.

The benefits included in title III would apply to all members of the military who have served on active duty, including activated reservists and National Guard. To qualify, veterans must have served at least three months of qualified active duty, beginning on or after September 11, 2001. The amended bill provides for benefits to be paid in amounts linked to the amount of active duty service.

In addition to tuition and other established charges, the benefit includes a monthly stipend for housing costs as well as tutorial assistance and licensure and certification tests.

The amended bill would create a new program in which the government will agree to match, dollar for dollar, any voluntary additional contributions to veterans from institutions whose tuition is more expensive than the maximum educational assistance provided in the amended bill.

Finally, the amended bill provides for the veterans to have up to fifteen years after they leave active duty to use their educational assistance entitlement. Veterans would be barred from receiving concurrent assistance from this program and another similar program.

TITLE IV—EMERGENCY UNEMPLOYMENT COMPENSATION

The amended bill includes language providing a temporary extension of unemployment benefits to workers who have lost their jobs. Specifically, the amended bill provides up to 13 weeks of extended unemployment benefits in every State to workers exhausting regular unemployment compensation. In States with higher levels of unemployment, defined as a seasonally-adjusted six percent total unemployment rate or a four percent insured unemployment rate, up to an additional 13 weeks would be available. The extended benefits program will terminate on March 31, 2009.

The percentage of workers exhausting unemployment benefits is currently 36 percent, which is higher than at the beginning of any of the past five recessions. The Congressional Budget Office estimates that 3.8 million workers will receive extended benefits under the program given the high rate of workers running out of regular unemployment benefits without finding work. Not only will these workers and their families benefit from extended benefits, providing this financial assistance also can reduce the severity and duration of an economic downturn. Experts agree that extending unemployment benefits is one of the most cost-effective and fast acting forms of economic stimulus because workers who have lost their paychecks have little choice but to spend these benefits quickly.

TITLE V—MEDICAID PROVISIONS

Section 5001 of the amended bill includes language extending the current moratorium to April 2009 on four Medicaid regulations pertaining to: graduate medical education payments; limits on payments to government safety net providers; rehabilitation services; and school-based administrative and specialized medical transportation services for children. The amended bill also establishes a moratorium for the same period for three Medicaid regulations pertaining to: health care provider taxes; targeted case management; and hospital outpatient services. The cost of the moratoria is fully offset over five and ten years in the amended bill by provisions that extend an asset verification demonstration to all fifty States and reduce balances in the Physician Assistance and Quality Initiative Fund. These provisions are identical to those included in H.R. 5613, which was approved by the House by a 349–62 vote.

The moratorium on these seven regulations is included in the amended bill due to concerns about their potential negative impact on essential medical services for millions of people, particularly for seniors, people with disabilities, and children, and on the providers of these safety net services. These regulations also would have a far-reaching impact on graduate medical education, outreach and supportive services designed to help individuals get the medical care they need, and foster care services.

According to the Congressional Budget Office, these regulatory changes would reduce Federal Medicaid spending by nearly $18,000,000,000 over the next five years, shifting these costs to States and localities. These cuts would occur during an economic downturn when States and localities are least able to restore services. Further, the authorizing committees indicate that many of these regulations alter longstanding Medicaid policy without specific Congressional authorization.

Additional time is required to examine the potential impact of these regulations. Accordingly, the amended bill includes $5,000,000 for a study to be completed no later than March 2009 by an independent entity to assess the prevalence of the problems in the Medicaid program the regulations were intended to address and their impact on each State. The amended bill also includes $25,000,000 for the purpose of reducing fraud and abuse in the Medicaid program.

TITLE VI—ACCOUNTABILITY AND TRANSPARENCY IN GOVERNMENT CONTRACTING

CHAPTER 1—CLOSE THE CONTRACTOR FRAUD LOOPHOLE

Chapter 1 of title VI is identical to the language of H.R. 5712, ''Close the Contractor Fraud Loophole Act,'' passed by the House on April 23, 2008. It closes a loophole in a proposed rule so that mandatory fraud reporting requirements would apply to U.S. contractors working overseas as well as to contractors working here at home.

CHAPTER 2—GOVERNMENT FUNDING TRANSPARENCY

Chapter 2 of title VI is identical to the language of H.R. 3928, ''Government Funding Transparency Act of 2007,'' passed by the House on April 23, 2008. It requires any company or organization receiving at least $25 million and 80 percent or more of their revenue from federal payments to disclose the salaries of their most highly-compensated officers.

TITLE VII—GI BILL FINANCING PROVISION

This title imposes a surtax of 0.47% on income beyond $1 million for those filing joint returns and beyond $500,000 for other filers. The surtax would start in 2009 and continue thereafter.

TITLE VIII—GENERAL PROVISIONS

The amended bill includes the following general provisions:

Section 8001 establishes the period of availability for obligation for appropriations provided in this Act.

Section 8002 provides that, unless otherwise noted, all appropriations in this Act are designated as emergency requirements and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21, the congressional budget resolution for fiscal year 2008.

Section 8003 provides that this Act may be referred to as the ''Supplemental Appropriations Act, 2008''.

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
TITLE I			
MILITARY CONSTRUCTION, VETERANS AFFAIRS, INTERNATIONAL AFFAIRS AND OTHER SECURITY-RELATED MATTERS			
CHAPTER 1			
DEPARTMENT OF AGRICULTURE			
Foreign Agricultural Service			
Public Law 480 Title II Grants, FY 2008 (emergency)...	350,000	850,000	+500,000
Public Law 480 Title II Grants, FY 2009 (emergency)...	395,000	395,000	---
Total, Chapter 1.....	745,000	1,245,000	+500,000
CHAPTER 2			
DEPARTMENT OF JUSTICE			
Office of Inspector General (emergency).....	---	4,000	+4,000
Legal Activities			
General Legal Activities			
Salaries and expenses (emergency).....	4,093	1,648	-2,445
United States Attorneys			
Salaries and expenses (emergency).....	5,000	5,000	---
United States Marshals Service			
Salaries and expenses (emergency).....	14,921	18,621	+3,700
Total, Legal activities.....	24,014	25,269	+1,255
Federal Bureau of Investigation			
Salaries and expenses, FY 2008 (emergency).....	101,122	92,169	-8,953
Salaries and expenses, FY 2009 (emergency).....	39,062	82,600	+43,538
Total, Federal Bureau of Investigation.....	140,184	174,769	+34,585
Drug Enforcement Administration			
Salaries and expenses (emergency).....	8,468	12,166	+3,698
Bureau of Alcohol, Tobacco, Firearms and Explosives			
Salaries and expenses (emergency).....	4,000	4,000	---
Federal Prison System			
Salaries and expenses (emergency).....	9,100	9,100	---
Total, Chapter 2.....	185,766	229,304	+43,538

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
CHAPTER 3			
DEPARTMENT OF DEFENSE			
Military construction, Army (emergency)	1,440,750	1,432,700	-8,050
Military construction, Navy and Marine Corps (emergency)	237,505	423,357	+185,852
Military construction, Air Force (emergency)	305,000	409,627	+104,627
Military construction, Defense-Wide (emergency)	27,600	1,009,600	+982,000
Total, Active Components	2,010,855	3,275,284	+1,264,429
Family housing construction, Navy and Marine Corps (emergency)	11,766	11,766	---
Base realignment and closure account 2005 (emergency)	415,910	1,354,634	+938,724
Total, Department of Defense	2,438,531	4,641,684	+2,203,153
Department of Veterans Affairs			
Departmental Administration			
General operating expenses (emergency)	---	100,000	+100,000
Information technology (emergency)	---	20,000	+20,000
Total, Department of Veterans Affairs	---	120,000	+120,000
Total, Chapter 3	2,438,531	4,761,684	+2,323,153
CHAPTER 4			
SUBCHAPTER A			
SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and consular programs (emergency)	1,708,008	1,606,808	-101,200
Worldwide security protection	(162,400)	(210,508)	(+48,108)
Office of the Inspector General (emergency)	---	7,500	+7,500
Embassy security, construction, and maintenance (emergency)	160,000	76,700	-83,300
Total, Administration of Foreign Affairs	1,868,008	1,691,008	-177,000
International Organizations			
Contributions to international organizations (emergency)	53,000	53,000	---
Contributions for international peacekeeping activities, current year (emergency)	333,600	333,600	---
Total, International Organizations	386,600	386,600	---
Total, Department of State	2,254,608	2,077,608	-177,000
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
International disaster assistance (emergency)	---	200,000	+200,000
Operating expenses of the U.S. Agency for International Development (emergency)	41,000	142,000	+101,000
Operating expenses of the US Agency for International Development, Office of Inspector General (emergency)	---	4,000	+4,000

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
Other Bilateral Economic Assistance			
Economic support fund (emergency)	2,009,000	1,747,000	-262,000
Department of State			
Democracy Fund (emergency)	---	75,000	+75,000
International narcotics control and law enforcement (emergency)	734,000	419,300	-314,700
Migration and refugee assistance (emergency)	30,000	300,000	+270,000
U.S. Emergency Refugee and Migration Assistance Fund (emergency)	---	25,000	+25,000
Nonproliferation, anti-terrorism, demining and related programs (emergency)	5,000	11,200	+6,200
MILITARY ASSISTANCE			
Funds Appropriated to the President			
Foreign Military Financing Program (emergency)	---	72,500	+72,500
Total, Subchapter A	5,073,608	5,073,608	---
SUBCHAPTER B			
BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and consular programs (emergency)	1,064,450	737,900	-326,550
Worldwide security protection	(45,800)	(78,400)	(+32,600)
Office of the Inspector General (emergency)	16,800	57,000	+40,200
Embassy security, construction, and maintenance (emergency)	---	41,300	+41,300
Total, Administration of Foreign Affairs	1,081,250	836,200	-245,050
International Organizations			
Contributions to international organizations (emergency)	40,000	75,000	+35,000
Contributions for international peacekeeping activities, current year (emergency)	---	150,500	+150,500
Total, International Organizations	40,000	225,500	+185,500
Total, Department of State	1,121,250	1,061,700	-59,550
RELATED AGENCIES			
Broadcasting Board of Governors			
International broadcasting operations (emergency)	---	8,000	+8,000

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
Global health and child survival (emergency)	---	75,000	+75,000
Development assistance (emergency)	210,000	200,000	-10,000
International disaster assistance (emergency)	270,000	200,000	-70,000
Operating expenses of the U.S. Agency for International Development (emergency)	60,000	93,000	+33,000
Operating expenses of the US Agency for International Development, Office of Inspector General (emergency)	---	1,000	+1,000
Other Bilateral Economic Assistance			
Economic support fund (emergency)	1,297,700	1,147,300	-150,400
Department of State			
International narcotics control and law enforcement (emergency)	225,000	204,500	-20,500
Migration and refugee assistance (emergency)	191,000	350,000	+159,000
Nonproliferation, anti-terrorism, demining and related programs (emergency)	---	4,500	+4,500
MILITARY ASSISTANCE			
Funds Appropriated to the President			
Foreign Military Financing Program (emergency)	170,000	170,000	---
Peacekeeping operations (emergency)	60,000	85,000	+25,000
Total, Subchapter B	3,604,950	3,600,000	-4,950
SUBCHAPTER C - GENERAL PROVISIONS			
Sec. 1407:			
(a)(1) World Food Program	---	20,000	+20,000
(a)(2) Andean Counterdrug Initiative (rescission)	---	-20,000	-20,000
(b)(1) International narcotics control and law enforcement (Sudan)	---	10,000	+10,000
(b)(2) International narcotics control and law enforcement (prior-year rescission)	---	-10,000	-10,000
Total, Subchapter C	---	---	---
Total, Chapter 4	8,678,558	8,673,608	-4,950
GENERAL PROVISIONS			
DEPARTMENT OF HOMELAND SECURITY			
Customs and Border Protection			
Salaries and expenses (rescission)	-50,000	---	+50,000
Total, General Provisions	-50,000	---	+50,000
Total, title I	11,997,855	14,909,596	+2,911,741

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
TITLE II			
DOMESTIC MATTERS			
CHAPTER 1			
DEPARTMENT OF COMMERCE			
Bureau of the Census			
Periodic censuses and programs (emergency)	---	210,000	+210,000
DEPARTMENT OF JUSTICE			
Federal Prison System			
Salaries and expenses (emergency)	---	178,000	+178,000
Total, Chapter 1	---	388,000	+388,000
CHAPTER 2			
DEPARTMENT OF THE ARMY			
Corps of Engineers - Civil			
Construction, FY 2009 (emergency)	5,761,000	2,835,000	-2,926,000
Flood control and coastal emergencies, FY 2009(emerg.)	---	2,926,000	+2,926,000
Total, Chapter 2	5,761,000	5,761,000	---
CHAPTER 3			
DEPARTMENT OF LABOR			
Employment and Training Administration			
State unemployment insurance and employment service operations (emergency)	---	110,000	+110,000
CHAPTER 4			
HOUSE OF REPRESENTATIVES			
Payments to Widows and Heirs of Deceased Members of Congress	---	169	+169
Total, title II	5,761,000	6,259,169	+498,169
TITLE III			
VETERANS EDUCATIONAL ASSISTANCE			
Veterans educational assistance, FY 2008 (emergency)	---	40,000	+40,000
Veterans educational assistance, FY 2009 (emergency)	---	676,000	+676,000
Total, title III	---	716,000	+716,000

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
TITLE IV			
EMERGENCY UNEMPLOYMENT COMPENSATION			
Federal-State agreements, FY 2008 (emergency)	---	6,170,000	+6,170,000
Federal-State agreements, FY 2009 (emergency)	---	9,440,000	+9,440,000
Total, title IV	---	15,610,000	+15,610,000
TITLE V			
MEDICAID PROVISIONS			
Medicaid moratorium, FY 2008 (emergency)	---	450,000	+450,000
Medicaid moratorium, FY 2009 (emergency)	---	1,150,000	+1,150,000
Total, title V	---	1,600,000	+1,600,000
Grand total	17,758,855	39,094,765	+21,335,910
Appropriations	---	(30,169)	(+30,169)
Emergency appropriations	(17,808,855)	(39,094,596)	(+21,285,741)
Rescissions	(-50,000)	(-30,000)	(+20,000)

Mr. BLUMENAUER. Mr. Speaker, after five years, thousands of lives lost, and hundreds of billions of dollars spent and trillions to go, the amendments adopted today are the beginning of a solution in Iraq. These amendments mandate the beginning of withdrawal, setting us on a path out of Iraq, and support critical domestic and international priorities.

The language offers some of the same prescriptions in my own Iraq legislation, including a ban on permanent bases and an increase in contractor oversight. All too often we hear reports of billions of dollars our contractors can't account for, or the hiring of individuals our troops can't rely on. This war will cost over $3 trillion, and I am pleased to see some funding shifted to cover more of our international obligations. I authored legislation to help the 4 million displaced Iraqis and I support the funding in this bill for migration and refugee assistance and international disaster assistance. We have a responsibility to the Iraqi people, and as we have an obligation to provide for our own.

Part of remedying this tragedy will be rebuilding the health and readiness of our armed forces. In my state, the Oregon National Guard's 41st Combat Brigade Team has served two tours in Iraq and Afghanistan since 9/11, and is scheduled to deploy again in 2009. When they return, these brave men and women deserve the best care this country can provide and the least we can do is make sure education and retraining is available and affordable. I am proud to support an expansion of the GI Bill education benefits that proved so successful in transitioning our troops after W orld War II and in mobilizing our economy for succeeding generations. Frankly I find it unconscionable that President Bush, as Commander in Chief of our armed forces, would threaten to veto this legislation on account of this basic and historic investment in our troops.

This country is ready for change, and these amendments are an important step forward. As this issue develops over the coming weeks, I remain committed to getting our troops out of Iraq now and providing our veterans with the best care available.

Mr. CASTLE. Mr. Speaker, I rise in support of the three amendments before us today to H.R. 2642. Our troops have done incredible work in Iraq and Afghanistan, and it is critical that we provide them with the protective equipment, operating funds, and counterterrorism resources necessary to execute their missions. For this reason, I support the funding in this package for vital priorities like mine resistant ambush protected vehicles, IED jamming devices, military healthcare, traumatic brain injury research, and military family support programs.

As a leader of the House Committee on Education, I have long advocated for a permanent expansion of GI Bill education benefits for veterans. For the first time, the funding in this package would reward those soldiers who stepped forward in the wake of the 2001 terrorist attacks by allowing them to receive expanded education benefits in proportion to their period of service. The men and women who serve in our Nation's armed forces deserve the opportunity to pursue an education and I believe this provision represents a significant step towards the realization of that goal. In addition to financial assistance, our government must help veterans cut through the red-tape surrounding GI bill benefits and I have introduced legislation to aid our soldiers in making this transition.

There has to be an incentive for the Iraqi government to make political progress and it is critical that we begin shifting the day-to-day combat mission over to the Iraqi security forces. I continue to oppose proposals in Congress that would hamstring our troops by setting a hard deadline for troop withdrawal. Last September, General Petraeus and Ambassador Crocker outlined a responsible plan for gradually redeploying our troops from Iraq and I believe this plan should move forward in a way that maintains security and stability in the Middle East. Therefore, I support provisions in this bill that would set a goal of redeploying a majority of our combat troops from Iraq by the end of 2009, while permitting forces to remain in the region to conduct counterterrorism operations and assist the Iraqi security forces. Clearly, our military and foreign policy leaders must retain the ability to react to conditions on the ground and I believe this provision allows them the appropriate flexibility in executing their mission without conditioning troop funding on arbitrary timelines or an immediate deadline for troop withdrawal.

Additionally, I support language in the bill that would improve transparency and oversight of contractors to prevent waste and abuse in government spending. In the same way, I support sections of the bill that would require better accountability from the Iraqi government by providing an incentive for a greater Iraqi investment in the country's reconstruction. Embracing a comprehensive regional diplomatic initiative, ensuring American soldiers are properly trained and prepared for deployments, and prohibiting torture are also key provisions which I continue to support.

Lastly, while I intend to vote in favor of this emergency spending package, I continue to have deep concerns about the manner in which it was brought forward. In my estimate, the leaders of the House have unfairly manipulated congressional rules in severely limiting debate on this measure and restricting input from both Republicans and Democrats. Rather than using this issue as a tool to score points politically, Members from both sides of the aisle should come together in support of a workable policy to bring our troops home.

To date, over 4,000 American soldiers—including sixteen brave Delawareans—have lost their lives in Iraq. Close to 500 U.S. service members have also died in Afghanistan. Mr. Speaker, I call on my colleagues to embrace the substantive areas of this bill where we can find agreement, and join me in committing to a bipartisan approach for achieving stability and bringing our troops home to their families.

Mr. MITCHELL. Mr. Speaker, I rise today in support of H.R. 5740, the Post 9/11 Veterans Education Assistance Act—bipartisan legislation that honors our men and women in uniform and strengthens our military.

Since World War II, our nation has offered education benefits to returning GIs. The Servicemen's Readjustment Act of 1944, the first GI Bill, which was passed unanimously by this House, paid for the tuition, books, fees, training costs, and even a monthly stipend for our returning veterans.

After World War II, nearly 8 million veterans, out of a wartime veteran population of 15 million, used the original GI Bill to earn an education. The economic return was unprecedented. For every dollar we spent on the GI Bill, we generated 7 more into our national economy. Millions of newly-educated veterans led our Nation in business and innovation and created the American middle class. It's no wonder the GI Bill of 1944 is regarded as one of the most successful pieces of legislation to earn this House's approval in the 20th Century.

Since that time, Congress has passed other GI bills, but over time, the value of the education benefit has declined. The current Montgomery GI Bill, for example, was designed for peacetime service, and is not meeting the needs of our newest generation of veterans, many of whom are returning from combat in Iraq and Afghanistan.

Our veterans—whether active duty, Reservists or National Guardsmen—deserve an education benefit that accounts for the stress of war and keeps up with the rapidly increasing cost of a higher education. That is why, with the backing of a broad, bipartisan coalition, I introduced H.R. 5740, the Post-9/l1 Veterans Educational Assistance Act.

Under the legislation, GIs returning from Iraq or Afghanistan would receive up to four academic years of education benefits, including stipends for housing and books. They can even use their benefits at private schools through the Yellow Ribbon G.I. Education Enhancement Program, in which the federal government will match, dollar for dollar, any voluntary additional contributions to veterans from institutions whose tuition is more expensive than the maximum educational assistance provided under this legislation.

Veterans would even have up to 15 years after they leave active duty to use their education benefits. I am pleased that this bill was included as part of the emergency war funding measure that the House is considering today because I believe taking care of those who serve in war is a cost of war. America should never fight wars without taking care of our own. However, I am deeply troubled by how we got to this point, and am disappointed that this issue has become politicized.

When I was elected to this House, my constituents asked me to work in a bipartisan way to find reasonable solutions to our common problems. And that is what I tried to do with this GI Bill. Working together with my Democratic and Republican colleagues, we attracted more than two-thirds of the House as cosponsors. Ninety-two Republicans, nearly half of the minority party's membership, lent their support. But instead of using that coalition to secure overdue educational benefits for our veterans, our leadership has allowed ideological gotcha games to prevail.

What began as an attempt to fix a broken promise to our veterans has devolved into a fight over who can score the most political points. As a result, instead of sending a veto-proof bill to the Senate, we are sending a lesser bill with a less certain outcome. This does not hurt any of our political opponents, Mr. Speaker; it only hurts our veterans. And, frankly, they deserve better. Our soldiers and veterans deserve a House whose actions matches its rhetoric. If we mean what we say, that taking care of those who serve is truly a cost of war, then the GI Bill should be included as a part of our war spending.

I was astonished yesterday when, amidst all the platitudes some members of this chamber made about the need for the GI Bill to meet

pay-go rules, those very same members were so willing to throw those rules out the door when it came to the Farm Bill. Wealthy farmers were given greater consideration than our veterans.

I strongly disagree with leadership's decision to raise taxes on the backs of our veterans, and I believe it is wrong that I wasn't given an opportunity to offer an amendment to strip this from the bill. I will do everything in my power to encourage the Senate to fix this legislation. However, in order to get the GI Bill to the Senate, and give it any chance to pass, I am forced to vote for the deeply flawed package before me today.

Our veterans have fought for us. The least we can do is fight for them.

Mr. HALL of New York. Mr. Speaker, I would like to express my admiration and support for the brave men and women of our military who are nobly serving in Afghanistan and Iraq. In Afghanistan, they continue to perform an important mission by taking action against our enemies in the country that served as host to the Al Qaeda organization that attacked the United States of America on September 11th, 2001, and they do so with complete skill, courage, and professionalism. I am fully supportive of them and their mission. I have voted to provide funding solely for our military activities in Afghanistan, and would do so again if such a bill were to come before the House.

However, the funding measure in Amendment Number 1 brought before the House today included funding for the ongoing war in Iraq without accompanying conditions on those funds or a timeline for withdrawal of American forces. I remain opposed to the President's mistaken war in Iraq, which has now claimed over 4,000 American lives, undermined our military and ability to respond to other threats abroad, and cost hundreds of billions of dollars that could have been used to meet pressing needs at home. I believe that we must change course in Iraq, and cannot support the appropriation of additional funds without measures to impose conditions on that funding and start bringing our troops home. Accordingly, I could not vote for Amendment Number 1.

Mr. STEARNS. Mr. Speaker, the War in Iraq has been difficult for all Americans. I understand and share the American people's frustration at how the war has been conducted. No one wants to bring our troops home more than I do, but conditions on the ground should dictate when our troops should leave, not domestic politics.

Regardless of if you voted for the war or against it or support immediate withdrawal or not, there is one issue we can all agree. Our brave men and women in Iraq and Afghanistan deserve our respect and admiration. The best way to honor them is to provide them with all the necessary equipment to be safe and successful as quickly as possible. One thing our troops do not deserve is to be used as a political bargaining chip for additional billions in unrelated and unnecessary spending.

Unfortunately, that is what the Democrat leadership has done with the bill before us today. By playing politics, Democrats are ensuring that the troops will not get their funding prior to Memorial Day. Our troops do not deserve this kind of treatment. This is an insult to our men and women who put their lives on the line to protect our freedom.

This is most unfortunate because the first amendment, which I urge all my colleagues to support, contains funding for some very vital programs. For example, it includes $75 million in FY 2008 and $300 million in FY 2009 for traumatic brain injury care and research. In addition, the measure provides $95 million to address gaps identified by the President's Commission on Care for America's Returning Wounded Warriors. The funding is designed to improve case management, data sharing, and the disability evaluation system. These, among others, are very critical to our troops and their families. They deserved to be enacted, not held up for petty political reasons.

Certainly mistakes have been made in Iraq and a change of strategy was long overdue. Now that the surge has been fully implemented and been given time to work, there is no doubt that the security environment in Iraq continues to improve. General Petraeus has said that security progress is still fragile and reversible. Much work still needs to be done, but progress on the ground is undeniable.

The question we must continually ask ourselves is what is the cost of withdrawing our troops? Should the U.S. immediately pull out of Iraq, leave the terrorists emboldened and potentially put more Americans at risk? Withdrawal needs to be based on events not politics. It is important to stress that an open-ended American military commitment is both unwise and dangerous. Progress in Iraq must be measurable, enforced and based on more than just military progress.

Accordingly, Col. Christopher Hughes, who commanded the 2d Battalion of the 327th Inf. Regiment, 101st Airborne in Iraq, has identified a set of strategic benchmarks deigned to measure progress in Iraq. Col. Hughes has developed an event-driven sequence that leads to a legitimate withdrawal. His plan includes six phases and a number of different benchmarks that need to be met. I have attached this plan and make it part of my speech.

It's important to highlight that events, not an arbitrary timeline, needs to guide our strategy. Col. Hughes' milestones for an event-driven withdrawal are strategic, operational and tactical. Such benchmarks include, holding insurgent violence less than or equal to one attack on Coalition and Iraqi forces per month, having 76 operational oil refineries and producing 4.5 million barrels of oil per day. I ask unanimous consent to include in the CONGRESSIONAL RECORD Col. Hughes' full strategy for leaving Iraq.

The amendment we have before us today does not take an event-driven approach, but sets an arbitrary deadline based on politics not the situation on the ground. I urge my colleagues to vote against the second amendment today.

In addition, Mr. Speaker, I would like to take a moment to talk about a provision in the third amendment pertaining to the Montgomery GI Bill. As a veteran and a senior member of the House Veterans Affairs Committee, I understand the hardship and sacrifice of military service. I, along with many of my colleagues, have supported legislation to update and expand the GI Bill, and I am cosponsoring H.R. 5740, the legislation that this provision is based on. However, the House leadership decided to combine the updated GI Bill with a huge tax increase on many small businesses.

The Democrat tax increase would put a surcharge on the gross income for individuals earning more than $500,000 and couples with over $1 million. However, of taxpayers with $1 million or more in income, nearly 83% report that some or all of that is income from a small business. This is a massive tax increase on the gross income of small businessmen and women who operate as self-employed individuals. They are the primary source of new jobs in our nation. Instead of raising taxes, Congress could fund the new GI Bill by reducing federal spending by a mere 0.1 percent over 10 years. I am certain that we can find one-tenth of one percent of wasteful federal spending and apply that to meeting the needs of our 21st century veterans.

In addition, the third amendment includes $5.8 billion in FY 2009 funds for levee rebuilding in Louisiana. This is in addition to the $7.1 billion the federal government has already provided to repair and enhance levees. Furthermore, $9.9 billion for foreign aid is included, which represents $500 million more than requested. These may very well be worthwhile programs but do they belong in an emergency, off budget spending package?

Lastly, I want to point out that the process of how this bill came to the floor today is not in keeping with the spirit and traditions of the House. As Speaker NANCY PELOSI stated in her 2006 document, A New Direction for America, "bills should be developed following full hearings and open subcommittee and committee markups, with appropriate referrals to other committees." The Speaker went on to state that, "bills should generally come to the floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the Minority the right to offer its alternatives, including a substitute."

Furthermore, according to The Politico newspaper, "There have been about three dozen emergency spending bills in the past 20 years, and a handful have passed without input from the Appropriations Committee, including billions in Hurricane Katrina aid and post-Sept. 11 funds. But none of the Iraq war funding bills have bypassed the Appropriations panel."

Unfortunately, this supplemental bypassed the entire Appropriations Committee process altogether, and through the use of parliamentary gimmicks, avoids the input of both Democrat and Republican members who have real expertise in the subject areas involved, effectively shutting out the views of millions of these members' constituents.

To have the Democrat leadership cut off the people's right to be heard by such crass parliamentary maneuvers results hi great harm to the appropriations process and seriously undermines the credibility of the House of Representatives.

Our brave troops and millions of veterans deserve better. They do not deserve to be treated as political tools. We pass a clean supplemental, devoid of any unrelated, and unnecessary spending, that gets necessary equipment to our troops on the battlefield immediately . We should also pass a GI Bill that doe not unfairly tax small businesses. Unfortunately, the Democrat leadership decided to play politics, while our troops and veterans have to pay the price.

APPENDIX I: A STRATEGY FOR LEAVING IRAQ

DETAILS PER PHASE

This is not a timeline; it's an event-driven sequence of events that leads to a legitimate withdrawal of U.S. and Coalition forces in order to return Iraq to the international community of nations.

Phase 1: The Iraqi Sovereignty Council (ISC) is responsible for the development of a prioritized list of reconstruction projects that will include government, health, educational, judicial; police, border and military facilities in each of the provinces. Regional governmental leaders, sheiks, and other tribal leaders will vet the list and add or subtract within their provinces to ensure equitability and specificity for each population. Additionally, Islamic and other religious leaders will provide a list of religious, historical and administrative facilities that need assistance to ensure freedom of religion and access during the transition. During this process, it is crucial that the development of this list, and the involvement of local, tribal, military and religious leaders is publicly discussed and debated on local and international news and commentaries.

Phase 2: Once the ISC has compiled and publicly documented the list, it will present the plan to the Iraqi National Government (ING) for debate and approval. The public debate over this list is the main effort of this operation. The debate will include the conditions for implementing this list. Those conditions will include a mandate from the ING directed at the Coalition and the insurgency. The ING will place themselves between the perceived belligerents (the Coalition and the insurgents) in their country and levy demands on each. These demands will include reconstruction funds from the Coalition, a cessation of hostilities from the insurgents, a phased withdrawal of Coalition forces, and a peaceful integration of remaining insurgent organizations into the Iraqi political process. Although it is unlikely to get insurgent groups to step forward and engage in the debate at this point, the momentum of public opinion will begin to erode their legitimacy if they ignore the mandate and continue hostile action against the Iraqi people.

Phase 3: After approving the ISC plan, the ING will begin a nationwide information campaign, targeting the Iraqi people and showing them the details of the plan. This quid pro quo will help the ING to assert sovereign power by openly confronting the Coalition and the insurgency—in essence, speaking for the Iraqi people. This planned confrontation with the United States will help to dispel the premise that the ING is an American puppet, further legitimizing their authority when facing the insurgency and Arab community.

Phase 4: It is logical to assume that the insurgencies will remain silent during phases 1–3 to determine the lNG's true resolve and overall Coalition intent. It's necessary for the Coalition to take the first step during phase four by executing a token withdrawal of forces from each of the primary provinces that have participated in the ISC planning process. These forces will withdrawal from two or three cities as a show of good faith in support of the ISC plan and ING. Once these moves are complete, the ING will begin a weekly progress report for the project list and detailed report on the level of hostilities in country by province.

Phase 5: This phase will be a continual process of quid pro quo as the key ING milestones are met in accordance with the plan. Reduction in hostilities + completed projects = phased withdrawal of Coalition forces.

Phase 6: When the reconstruction projects list is complete, and insurgent hostilities have leveled at acceptable levels to the lNG, the Coalition will complete their withdrawal.

PHASED WITHDRAWAL MILESTONES

Examples of possible withdrawal milestones.

Most of these have come to fruition and should be considered accomplished when the plan is first presented to the Iraqi people and the world.

Strategic National:—Iraqi Embassy in Washington DC staffed and operational; American Embassy in Baghdad staffed and operational; United Nations Embassy operational in Baghdad; Iraqi Ambassador attends first UN Security Counsel meeting and General Assembly.

Strategic:—January 2008 National Elections complete, and UN validation of National Elections.

Operational:—300,000 National Police staffed, equipped, trained and deployed; 500,000 National Army Staffed, equipped, trained and deployed; 100,000 Border Police staffed, equipped, trained and deployed; 76 oil refineries operational; 4.5M barrels of oil produced per day; Infrastructure complete (list with specific facilities)—medical, education, power, government, religious, etc.; National Salary System operational with ten year phase out plan as country develops free economic systems; 12 radio stations operational and 4 TV stations.

Tactical:—Insurgent violence less than or equal to one attack on Coalition and Iraqi forces per month; foreign fighters less than or equal to two attacks on Coalition and Iraqi forces per month; and zero attacks against Iraqi citizens and foreign nationals.

End State:—Operational Iraqi Government; operational Iraqi Army, Police forces, and Border Guards; informed Iraqi populace; complete withdrawal of Coalition forces; and American and Iraqi Embassies operational.

Mr. PRICE of North Carolina. Mr. Speaker, I rise in support of the amendment before us, which will force a dramatic shift in strategy in Iraq that will protect our national security and bring our troops home.

I have been one of a group in the House that, for several years now, has vocally advocated a withdrawal of U.S. troops from Iraq. Thanks to a President who has stubbornly adhered to a failed policy that does not serve the best interests of our military, our foreign policy, and our national security, we are now no closer to a withdrawal—or a resolution to the conflicts that beset Iraq—than we were 5 years ago. This amendment will change that. This amendment will begin to bring our troops home, in an orderly and responsible fashion.

Some argue that conditions on the ground have improved since the beginning of the President's surge strategy, and that advocates of a troop withdrawal are somehow blind to changed conditions. That is simply not the case.

We have watched conditions in Iraq closely, hoping for the kind of progress that would transform Iraq's internal political dynamics, hoping for a turning point that might produce a lasting end to the violence. We have supported our troops as they have carried out their tactical military mission with remarkable success. But we have also watched the Iraqi Government's continued failure to complete its political mission, the success of which is the necessary condition for ensuring Iraq's long-term stability. There is simply no indication that tactical progress in reducing the levels of violence in certain regions of Iraq has been translated into lasting, strategic gains in the political realm.

Unfortunately, the Administration has now concluded that the military drawdown initially promised cannot be carried out. A successful surge should justify taking troops out of Iraq, not keeping them in. The bottom line is this: Tactical gains notwithstanding, we and the Iraqis have yet to build a sustainable political and security architecture that brings us closer to our goal—a politically coherent Iraq that can manage its own security.

Without political progress, the security situation in Iraq will remain fragile. In such a context, we risk institutionalizing an indefinite dependency on the U.S. military to maintain security. And over the long run, we simply will not be able to sustain the level of budgetary or military commitment we have today.

Our national interest requires that we remain committed to helping Iraq reach its long term goals, but it also requires us to carefully calibrate the nature of our involvement. The United States military mission in Iraq cannot be held hostage to Iraqi progress (or lack of progress) toward security or political benchmarks. We simply cannot continue to commit our overstretched personnel and resources without regard to Iraq's progress toward governing itself.

For that reason, it is essential that we begin a withdrawal of our military from Iraq.

Moreover, such a withdrawal is perhaps the only way we can motivate Iraqis to take the steps necessary to overcome sectarian differences and unite as a nation. This amendment will initiate such a withdrawal, and for that reason I ask for my colleagues' support.

There are other important reasons to support this measure. It would help us recover our moral compass by banning torture. It would ease the burden on our troops by establishing a more reasonable deployment policy. And it would prohibit the establishment of permanent bases in Iraq, a measure many of us have strongly supported.

I am particularly pleased that this amendment includes legislation I proposed over a year ago to ensure that government contractors—including tens of thousands of armed private security contractor personnel working in combat zones in Iraq and Afghanistan—will be held accountable under the law for misconduct, just like our troops. This legislation passed the House over seven months ago, and its enactment is long overdue.

My legislation will ensure that all Government personnel—military personnel, civilian employees, and contractors under any agency—will be accountable under U.S. Federal criminal jurisdiction through the Military Extraterritorial Jurisdiction Act. Since the war in Iraq began, private contractor personnel have committed numerous abuses resulting in the deaths of dozens of Iraqis. Yet, many of these individuals have operated in a legal gray zone, immune from both Iraqi and U.S. law. As a result, accountability has been undercut and the credibility of our operations in Iraq has been seriously damaged.

One need only point to the events of September 17, 2007, to understand the consequences of such impunity. On that day, private contractor personnel accompanying a convoy through the streets of Baghdad opened fire in a downtown square, killing 17 civilians; 8 months later, no charges have been filed and none of the participants have been brought to justice.

We have worked sincerely with the Administration to ensure that Government and contractor personnel who are carrying out their mission conscientiously and legally will not be made vulnerable under this law. Instead, this measure will give us the tools we need to ensure that those who run afoul of the law are brought to justice.

The measure before us is a major step forward toward a new approach to national security, one that will make our Nation safer and

restore our global moral leadership. I urge my colleagues to join me in supporting this measure and bringing an end to the war in Iraq.

Mrs. CAPPS. Mr. Speaker, I rise today in support of our troops, and in support of a responsible U.S. policy in Iraq.

I have opposed the Iraq war from the very beginning.

Over 5 years later, this war has taken the lives of more than 4,000 of our brave troops.

Our armed forces are incredibly strained, and our nation's image tarnished in the wake of this foreign relations disaster.

I have opposed continued funding of this war in the past, and I will vote against Amendment No. 1, which gives the President another blank check.

Amendments No. 2 and No. 3 of this bill, however, are a marked and deliberate shift away from the failed and short-sighted policies of President Bush.

And No. 2 requires that all troops be fully trained and equipped before deployment, and calls for a redeployment of U.S. troops from Iraq to begin in 30 days.

It also bans any permanent U.S. bases in Iraq and codifies contracting fraud as a criminal offense.

Amendment No. 3 will restore the education benefits under the GI bill to include a full, 4-year college education for veterans of the Iraq and Afghanistan wars.

Mr. Speaker, this war has taken an incredible toll on American troops, their families, and our entire country.

We cannot turn back the hands of time, but we can move forward to bring our troops home, end this war, and provide them with the tools they will need to continue their education.

As this New Direction Congress has done time and again, today we will tell the President that he is wrong.

Let us truly support the troops and vote to bring them home.

Mr. LANGEVIN. Mr. Speaker, today the House is addressing two of the most important issues facing our Nation: The Iraq war and the poor state of our economy. We have the opportunity to force a change in our Iraq strategy while providing much-needed assistance to returning troops and Americans struggling to make ends meet.

In October 2002, I voted against the resolution authorizing the use of force in Iraq, and more than 5 years later, it is abundantly clear that our Nation needs a new approach in Iraq so that we can bring our men and women in uniform home. I am extremely proud of the service and sacrifice of our troops and their families, and the best way to demonstrate our support is by welcoming them home with the services and resources they need. I strongly support the amendment before us today that requires U.S. forces to begin redeployment from Iraq within 30 days, with a goal of withdrawing nearly all troops by the end of 2009. Recognizing the toll that extended deployments are having on our readiness, the amendment also requires the Department of Defense to adhere to its policy of providing sufficient rest and recuperation time for troops returning from combat. Repeated and unpredictable deployments have placed enormous stress on our military and their families, and if we don't make changes soon, we risk losing the men and women who have made our armed forces the best in the world.

Another amendment before us would recognize the service of our troops by establishing a new GI Bill of Rights. Under this plan, which is supported by a broad array of veterans groups, servicemembers returning from Iraq or Afghanistan would qualify for educational assistance based on the amount of time served. Those serving three years on active duty would receive benefits to cover the costs of a 4-year education, based on the costs of the most expensive in-state public school. This new program will allow our military returning from combat to advance their careers and develop skills that will help improve our economy.

Finally, the measure recognizes the importance of providing assistance to our citizens struggling in the recent economic downturn. Congress has been working swiftly to address the housing crisis and the skyrocketing costs of food and energy, but we need to make sure that we help those who need it now. This legislation provides an additional 13 weeks of unemployment benefits to those who have exhausted their regular 26 weeks of benefits—a provision that could help as many as 24,400 Rhode Islanders. Unemployed Americans want to get back to work, but in many places jobs are scarce. We must not punish them for the failings of our economy, and this emergency spending measure demonstrates Congress's commitment to those in greatest need.

We have a chance today to reject the status quo policies of the Bush administration by setting new priorities for our Nation. I urge my colleagues to support efforts to prevent further blank check funding for Iraq, endorse a responsible new strategy for bringing our troops home and provide support to Americans struggling to make ends meet.

Mr. HOLT. Mr. Speaker, I want to thank Chairman OBEY for his leadership in crafting this bill and bringing it before the House. In brief, I wanted to let my colleagues know that the Select Intelligence Oversight Panel, which I chair, has been involved in this process. Our role has been to ensure that any intelligence programs included for funding in this supplemental package have been reviewed for their appropriateness and value to our troops in the field.

While the Department of the Defense is focused on Iraq and Afghanistan, the professionals in the Intelligence Community are focused on threats there and elsewhere around the world. A good intelligence system can save lives by preventing war, or, should war come, by helping to win the war as quickly as possible. We must ensure that the troops in combat get the best real-time intelligence and at the same time that policymakers get solid, independent, insightful intelligence about countries, trends, and potential conflicts around the world. I look forward to providing another update on our work once the base DoD appropriations bill is completed later this spring.

Regarding Iraq, I recently returned from a trip to that deeply troubled country. American troops are performing superbly in Iraq under continually difficult conditions. While in Baghdad, I met with soldiers—including those from New Jersey—and told them they deserve not just our gratitude, but all of the support they need when they return to help them get on with their lives. The situation in Iraq, however, is not in the power of our soldiers to control, as events have repeatedly shown.

It is impossible to hide the fact that the limited security gains achieved since last fall have not been matched by political reconciliation on the part of the Iraqis. The uneven performance of the Iraqi Security Forces (ISF) during the fighting with the Mahdi Army in late March 2008 has called into question the viability of the ISF as a national defense and police force, despite our having poured billions of dollars into the ISF.

Unfortunately, Iraq's central government continues to lack legitimacy in the eyes of its people, as the recent spasms of violence in Basra, Baghdad, and elsewhere in the country have clearly shown. No amount of American lives and money can erase that legitimacy gap. It is clear that the Iraqi government is unwilling or unable to take the steps necessary to reach a political settlement that will end the violence, and that is why I supported the amendment to this supplemental spending bill that would set a start date for our withdrawal from Iraq. It is important for us to take decisive action to end our combat involvement in Iraq and refocus our efforts on destroying al Qaeda and eliminating the conditions that breed international terrorism and refocusing our resources on pressing domestic and international needs.

While we continue our efforts to extricate our troops from Iraq, we must also prepare to help them once they return home and begin transitioning to the civilian world. I strongly support the provision in this bill that expands the education benefits veterans receive under the GI bill to restore the promise of a full, 4-year college education, and make the veterans of Iraq and Afghanistan part of an American economic recovery, just like the veterans of World War II were.

This bill also contains provisions to help America's most vulnerable citizens survive the current de facto recession our country is experiencing. The bill extends unemployment benefits for workers who have exhausted their benefits by up to 13 weeks in every State as well as an additional 13 weeks in States with high unemployment. Also included in this bill is the Protecting the Medicaid Safety Net Act of 2008 (H.R. 5613), which places a moratorium on seven Medicaid regulations that would cut services to seniors, families, and those with disabilities as well as cut payments to safety net providers. These are compassionate measures that are fully off-set, and I am glad they are in this bill.

However, I can't help but observe, Mr. Speaker, that these needs would have been met long ago if our country had not been forced to waste billions of dollars on a war of choice that should never have been fought. I will continue to do all I can to help end our involvement in Iraq and redirect our Nation's priorities and resources where they belong—on meeting the needs of our people.

Mr. LATHAM. Mr. Speaker, I rise today to express shock in the way this spending bill has been written and dumped into our laps, sight unseen, except by a few members of the Democratic Leadership.

This supplemental bill has been crafted without the input of rank and file members, completely circumventing the committee process.

There have been no hearings, no debates, no amendments allowed and about 18 hours to review this enormous bill.

We now have a few members of the house, substituting their judgement on serious wartime funding issues, for the other 430 Members of both parties.

Think about that for a minute. You and your colleagues have had no say in this bill—none. Again, members will have had 18 hours to review this 250 billion dollar spending bill.

This is very troublesome to me as a member of the people's house and I know, for a fact, that it's troublesome to members from both sides of the aisle. Today, the 3 million citizens of my State of Iowa, and millions of other Americans—which, by the way, include soldiers serving overseas and their families waiting for their safe return—will have no say in how their tax dollars are being spent for our military.

Whatever your position is on the war, or any Federal spending in this bill, the Speaker has set a terrible precedent for this institution. To the extent that we value precedent around here, this is not the type of bad precedent we should be allowing.

Both democrats and republicans deserve better, and we deserve a voice.

The way this process has been handled also taints the legislative success of good bills based on good ideas. The case in point is the inclusion of legislation I fully support and of which I am an original co-sponsor—the post 9/11 Veterans' Educational Assistance Act. This bi-partisan bill overhauls the G.I. bill education benefits and increases the benefits available to veterans.

This is a good bill dropped into an emergency spending bill that the Democrats know will not become law. The majority is using the G.I. bill for their political play book of attacks against Republicans in the upcoming elections—pure and simple.

This provision, as a standalone bill, has wide support from veterans groups and Republicans and Democrats in both the House and the Senate. But the American people have the right to have their Members of Congress debate and amend the bill.

I want to read a quote that is relevant to this sad situation. it comes from the Democrats' ''New Direction for America'' agenda—''Bills should generally come to the floor under a procedure that allows open, full and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.''

Evidently, the Democrat leadership has abandoned that position, and rewritten the agenda to read: ''Spending bills should be written by the leadership, in secret, and sent to the floor of the House under a closed rule, safe from the rules of regular order, traditional debate or any risk of being amended by duly-elected members of the House—from either party.''

The citizens of this country deserve better, and the members of this body, on both sides, deserve better. This type of practice has no place in this house.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of this legislation to provide emergency supplemental appropriations for Fiscal Years 2008. This legislation contains funding for the wars in Iraq and Afghanistan through the summer of 2009, expands education benefits for veterans, and extends unemployment benefits for workers. While this final bill is not perfect, I will vote for it to provide necessary funds for our troops in the field as well as fund some of our most pressing domestic priorities.

As a veteran of the U.S. Army myself, I strongly support our troops, our veterans and their families. Our troops have done everything they have been asked to do and done it exceptionally well. I am tremendously proud of all the troops from North Carolina and across America who have done their duty so admirably. This legislation includes $162.5 billion for our troops to fight the wars in Afghanistan and Iraq. It also includes provisions to make sure that our troops meet the Pentagon's definition of ''combat ready'' before they are deployed to Iraq and prevents them from being deployed longer than Pentagon guidelines recommend.

As the representative of Fort Bragg and Pope Air Force Base, I am a proud cosponsor of the Post–9/11 Veterans Education Assistance Act and am pleased that it is included in the Supplemental Appropriations bill. The original Montgomery G.I. Bill was a hugely successful initiative that provided hundreds of thousands of soldiers with new opportunities in education and business following World War II. We owe those same opportunities to the men and women fighting in Iraq and Afghanistan, and currently serving around the globe. This initiative would give returning service members who have served on active duty in the Armed Forces or reserves after September 11, 2001, to receive educational assistance for up to 4 years, and can be used at any time within 15 years of discharge or release from active duty. The new GI bill is also fiscally responsible as it is paid for with an income tax surcharge of one-half of one percent on individuals with incomes above $500,000 and couples with incomes above $1 million. Education is the key to the American dream, and our troops who have sacrificed for our country should be given every opportunity to access a higher education when they leave the service.

With our economy hurting, this bill extends unemployment benefits for workers who have exhausted their benefits by up to 13 weeks in every state and an additional 13 weeks in states with high unemployment. With the number of Americans looking for work growing, and the number of American jobs decreasing, this bill will help those Americans suffering in this economy.

I will continue to work with my colleagues in Congress as well as the President and the Administration, to provide a new direction in Iraq and to meet the critical needs of the people of North Carolina's Second Congressional District.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for these amendments today. Taken together, they provide necessary funding for our troops, set the stage for a responsible strategy of phased disengagement in Iraq, and address domestic needs and global concerns.

The war funding will pay for operations in Afghanistan and Iraq for the rest of this year and half of 2009. I support this because it will make it possible to provide the equipment, ammunition, fuel, and other supplies needed by our brave men and women serving in Iraq and Afghanistan who have shown such extraordinary skill, determination and endurance in answering their call to service.

I opposed the Bush Administration's rush to war in Iraq, and voted against the resolution that authorized the president to send our armed forces into that country on the theory that this was necessary in order to deprive the Saddam Hussein regime of weapons of mass destruction. So, I understand why some of my constituents who also opposed the war want Congress to reject this funding measure.

And I could not agree more that the record of the current Administration demonstrates an enormous failure of leadership and that we desperately need new leadership that will bring to a close our open-ended military engagement in Iraq and will refocus on the very urgent tasks of reducing the terrorist threats in Afghanistan and Pakistan.

But I am convinced that denying our men and women in uniform the resources they need to do their jobs is not the right way to bring about the change we need—especially because President Bush has shown he is prepared to veto funding for the troops rather than agree to change course.

Achieving the needed change in course is the point of the second amendment—the policy amendment—being considered today. It includes a range of provisions, including one that requires redeployment of our troops in Iraq to begin within 30 days and that states as a goal the completion of this withdrawal within 18 months.

As I've said before, I don't think there is a sustainable role for large numbers of U.S. troops in Iraq. While this provision sends the right message—that our troops cannot remain in Iraq indefinitely—regrettably, it does not send it in the best way, because it will be supported almost exclusively by Democrats, and the president has already promised to veto any legislation that he says could tie his hands on Iraq.

What we need is consensus here at home on a path forward in Iraq. I still think the best way to achieve that consensus would be to focus on the recommendations of the Iraq Study Group. Those recommendations would be accomplished by legislation I introduced last year, which would support a course of escalating economic development, empowerment of local government, the provision of basic services, a 'surge' in regional and international diplomatic efforts, and lightening the American footprint in Iraq.

Today's policy amendment does not include the specific provisions from my Iraq Study Group bill, but it does include other important provisions—prohibiting military units that are not determined to be ''mission capable'' from deploying; prohibiting deployment of U.S. forces that have not spent sufficient time at their home stations between tours of duty; prohibiting permanent bases in Iraq; requiring that reconstruction assistance to Iraq be provided in the form of a dollar-for-dollar match with the Iraqis; and cracking down on contractors engaged in fraud and profiteering, among other provisions.

These are things I think should be established policy, and I support them without hesitation.

Finally, the domestic and international assistance amendment provides increases for international food aid; rejects seven of the Administration's Medicaid regulations that will increase the cost of healthcare; extends unemployment benefits; provides increases in funding for the Bureau of Prisons; and provides enhanced education benefits for veterans, among other provisions.

I support these provisions because I think they are good for the country as a whole.

Some are especially important for Colorado—for example, we have a direct interest

in the funding increase staffing at federal prisons because our state has several such facilities and because recent events, including a riot that led to fatal shooting of inmates, have shown the need to increase those staffing levels.

And particularly important for America and the future of our society is the provision to improve veterans' education benefits to more closely resemble the GI Bill of Rights that made it possible for so many World War II veterans to go to college. The GI Bill of Rights helped make possible the postwar growth of the middle class that was one of the greatest achievements of the Greatest Generation. Some have complained about the cost of providing similar benefits to those who are serving today. But to put those costs—estimated at $52 billion over the next 10 years—into perspective, we should remember that so far our spending for military activities in Afghanistan and Iraq have exceeded $800 billion.

However, I do have some reservations about the way the amendment proposes to finance these benefits. To offset the cost, the amendment would impose a surtax of a half a percentage point on incomes of about $500,000 for individuals and $1 million for couples. It is estimated that this would increase federal revenues by some $54 billion over 10 years, while the educational benefits are estimated to cost $52 billion over that period. So the amount of the tax increase is not excessive, and it is appropriate to target it in a way to apply to those best able to afford it. But I think there is validity to the concern that some small businesses—those whose profits are not covered by corporate taxes but are claimed as the personal income of their owners—could be disproportionately affected. I think this aspect can and should be reviewed as the legislative process continues, to see if appropriate adjustments should be made.

Mr. Speaker, I voted against war in Iraq because, as I said then, the Bush Administration was rushing to war without necessary international support or a clear plan to prevent the chaos that would follow after Saddam Hussein was overthrown. I was concerned a prolonged conflict would devolve into civil war. Since U.S. troops entered Iraq more than 5 years ago, we have lost thousands of our brave servicemen and women, seen tens of thousands more wounded, and spent half a trillion dollars in taxpayer money.

Yet the President's mission is no clearer, he has still offered no exit strategy, our enemies in Afghanistan have regained their strength, and our armed forces have been stretched to the breaking point.

Only Democrats and Republicans working together can find the path out of Iraq. I will continue to work with colleagues on both sides of the aisle on further steps we can take to change our broader Iraq policy. But today, I will support these amendments providing funding for our troops in the field, assistance for Americans suffering through the current economic downturn and people around the world suffering from spiraling food costs, and important policy measures to take care of our troops and remind Iraq's government that U.S. troops will not remain in Iraq indefinitely.

Mr. BACA. Mr. Speaker, I rise today in support of H.R. 2642.

This bill calls for a responsible redeployment from Iraq; and forces the Administration to answer for its actions.

The cost of this war continues to devastate America.

This bill includes $96.6 billion in funding, but not without accountability.

This bill includes funds to equip our troops. You would not have a surgeon perform a surgery without proper tools; we must not send our patriotic Americans to war without the proper equipment.

This bill will increase transparency in our relationship with Iraq, and redirects the voice of America back to Congress, not the Administration, and pass on the cost of future reconstruction of Iraq back to the hands of the Iraqi people.

I believe our troops and their families should be our first priority.

The cost of this war comes in many forms, including unexpected costs for our military families. Just like World War II veterans, our soldiers returning from overseas will now have a GI bill that keeps America's promise of an education to them.

With the costs of the war rising, the costs of oil skyrocketing, and the number of foreclosures hitting emergency levels, many working families are facing uphill battles. Congress must not just stand by and watch.

This bill includes emergency provisions for harmful Medicaid cuts and an extension on the devastated unemployment compensation program for working families.

From my District alone, this war has cut short the lives of 13 young men and has brought back hundreds of injured soldiers.

The cost of this war is too high both at home and overseas; our families are hanging on by a thread. I urge my colleagues to bring our troops home and support H.R. 2642.

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to thank the Gentleman from Pennsylvania, Mr. MURTHA for his help on an important issue to me and the men and woman at Cannon Air Force Base in my district.

Since the early stages of this legislation, Mr. MURTHA has worked with me to include aircraft for SOCOM and AFSOC, which has recently expanded to Cannon. Cannon is the new home to the 27th Fighter Wing, which is being stood up and is in need of aircraft appropriate to the specific job performed by these soldiers.

That is why I am pleased that the supplemental includes money for CV–22 and MC–130J aircrafts designated for AFSOC. This will greatly assist in accelerating the capabilities at Cannon and will give the men and women serving there the tools they need to help keep America safe. The CV–22s and MC–130Js are integral to the training and mission work done by the 27th.

I am fully committed to ensuring that our soldiers have the training and equipment they need to protect our nation, which is why I requested this funding. I would like to once again thank Mr. MURTHA demonstrating our shared commitment to our soldiers by including funding for these aircraft.

Mr. TIAHRT. Mr. Speaker, I rise today to protest the Democrat Leadership's dictatorial tactics. Our Founding Fathers, in their infinite wisdom, created a system of government by which the people's voice would be heard in legislative decisions, especially those affecting the use of their hard earned taxpayer dollars. The House of Representatives has the awesome responsibility to represent the will of the people, and for that reason, under the Constitution of the United States, spending bills originate in this body. What we have here today, however, is the suppression of the people's voice. This bill is brought to the floor without consideration by the committee of jurisdiction whose chairmen didn't even have input and without true consideration by the House with a lockdown rule that does not allow for consideration of amendments or a substitute bill. Democrat and Republican Members have been shut out of this process.

This bill contains funding for the men and women who protect this nation at home and abroad—yet the defense subcommittee which holds hearings year round about their needs has not been consulted. This bill contains funding for our nation's veterans, yet again the subcommittee that best understands their needs has not been consulted. This bill contains funding for domestic priorities and yet again the subcommittees of jurisdiction have not been consulted.

Why is the Speaker of the House opposed to allowing the House of Representatives have their say? I can only assume it is that she knows the American people would reject this irresponsible use of their hard earned tax dollars. This bill takes $250 billion out of the pockets of American workers. $250 billion. That cannot be taken lightly. Families across this nation are struggling to keep up with the rising cost of gas, rising food prices, rising education costs, etc. The people must have a say in whether this is a wise use of their money.

I strongly support our troops, as do my constituents, yet we are not given a chance to have a say in how to best supply them. Mr. Speaker, I encourage all of my colleagues to stand up for their constituents and demand that we have a say. Vote against the bill and force the Democrat Leadership to bring this bill through regular order.

Ms. DEGETTE. Mr. Speaker, I rise in opposition to the amendment to be voted on today which will provide another blank check for the war in Iraq:

I remain steadfast in my opposition to the Iraq war and its continued funding. Tens of thousands of our bravest sons and daughters have been wounded and over 4 thousand killed. We have spent hundreds of billions of dollars on this war, which has necessarily meant we have had fewer resources to deal with significant problems here at home.

Our continued military involvement in Iraq only prolongs the tragedy this war has been for our country and delays the inevitable time when Iraq will have to take responsibility for its own security. While my support for our heroic troops is unwavering, it is time to bring them home. These views are shared by the vast majority of the American people.

I strongly support the other two amendments the House is considering today. One amendment would bring needed change to our efforts in Iraq. For example, it would require that the redeployment of our troops out of Iraq begin within thirty days with a goal of completing that redeployment by December 2009. And, it would encourage Iraq to contribute towards its own reconstruction.

The other amendment addresses important domestic priorities. Among other provisions it would modernize educational benefits for veterans and extend unemployment insurance. It also would block devastating Medicaid regulations which, if left in place, would reduce access to safety-net health care for people

across the country and threaten the ability of certain health care providerss, such as Denver Health in my district, to offer vital services.

These three amendments on the floor today offer the Members of the House of Representatives a stark choice. They can choose to reject the views of the American people and blindly follow the misguided policies of the Bush Administration. Or, they can choose to end this war. support our veterans, and help Americans struggling in these dark economic times. History will look most kindly on those who show the independent judgment and wisdom that such important decisions require.

Mr. DINGELL. Mr. Speaker, the Iraq War has now entered its sixth year. During this time more than 4,000 soldiers have died, almost 30,000 have been injured, and tens of thousands more will suffer mental scars for years to come. The stress of multiple deployments has strained our military, and our military families. Many of our brightest young officers are leaving the military for careers that allow them to have a family, something that is difficult if not impossible when they are being asked to return to Iraq every 12 months. In addition, the economic cost of this war has been nothing short of staggering. The United States has already spent more than five hundred billion dollars in Iraq, or about $5000 for every household in America. Our children and our grandchildren will be paying off this debt for years to come.

After all the lives lost and money spent, this President has still failed to articulate what our mission in Iraq is, and what strategic goals he still hopes to accomplish. That is why I have introduced legislation that would require the President to have our troops out of Iraq before he leaves office, and also why I do not support giving the Pentagon another $162 billion it can use to wage this war for another year after the next President is sworn in.

While I do not support further funding for this war beyond the President's term in office, I do support the provisions that have been attached conditioning this funding to a timeline for withdrawal, prohibiting the use of torture, holding contractors operating in Iraq responsible for fraud and other criminal activity, stopping the construction of permanent military bases in Iraq, and requiring the President to submit any long term security agreement he reaches with the Government of Iraq to Congress for approval. For too long this President has been given a blank check with which to pursue his Iraq policies, and I am glad that the House of Representatives will once again attempt to hold him accountable for his mismanagement of this war.

It must be pointed out that this vote is not a vote against the troops. Those who are serving our country in Iraq are performing admirably under difficult circumstances. Congress has already provided funds for the Department of Defense and war operations for Fiscal Year 2008. This vote won't endanger the troops' safety in any way, but it does send a signal to the President that he should begin the process of bringing them home.

I also support the decision to include in this legislation funding for other important Democratic priorities that will help boost our economy. Overall, these measures make up only a small fraction of the total cost of the bill, but they are targeted to make a big impact here at home. Not only will they give much needed assistance to the unemployed, veterans, and other vulnerable people, but these provisions will play an important role in stimulating the lagging economy.

For example, the supplemental package includes a bill I introduced that will place a temporary moratorium on seven regulations recently issued by the Centers for Medicare and Medicaid Services (CMS). These regulations, if allowed to stay in place, would reduce or eliminate payments for services provided to vulnerable Americans and the institutions that serve them: children with disabilities, people with mental illness, those with multiple care needs, people attempting to transition from an institution to a community living environment, and people with disabilities who need these critical services, such as rehabilitation services and case management, in order to remain in their community. In Michigan, the rehabilitation rule would cut rehabilitation services for 15,000 children with special needs, eliminate habilitation services for another 29,000 developmentally disabled adults and children living in the community, and eliminate access to critical community services and resources for 23,600 adults and 5,100 children who are in supported independent living arrangements or group homes.

The supplemental will also contain legislation I cosponsored to extend Unemployment Compensation, a provision that will greatly help the residents of Michigan's 15th Congressional District which I have the honor of serving. The National Employment Law Project projects that from May 2008 through March 2009, more than 162,000 workers will exhaust their benefits in Michigan, and that currently over 64,000 have already exhausted this benefit. By including this legislation in today's supplemental package Congress will be helping 226,590 workers in Michigan who desperately need the extra boost, while also giving a much needed boost to the economy.

This bill will also provide expanded G.I. Benefits for Veterans Education, restoring the promise of a 4 year college education to those returning from Iraq and Afghanistan. As a veteran of World War II, I know how instrumental the original G.I. Bill was in expanding economic opportunity, growing the middle class, and creating a strong and vibrant post-war economy. The President and some of his Republican colleagues, including Senator MCCAIN, are opposed to providing increased educational opportunities to today's generation of veterans because they fear it will discourage men and women currently serving from reenlisting. I find it highly disturbing that the President and his colleagues would withhold these much needed benefits to those who have served our country so admirably, and I would advise them that the quickest way to fix our military's retention problem would be to put an end to the misguided Iraq war that has so seriously damaged morale.

Another provision that I strongly support provides $675 million to assist refugees, with the bulk of that money going to address the growing humanitarian crisis in Iraq. I asked the President to include $1.5 billion in his budget for increased U.S. spending in the region, increased U.S. contributions to United Nations appeals for Iraqi refugees, and increased bilateral assistance for our allies, such as Jordan, that are struggling to deal with huge numbers of Iraqi refugees within their borders. Unfortunately this request was denied, and I am very pleased that I was able to work with my Democratic colleagues to see to it that some of these funds were made available in the Supplemental.

No matter what we do here today, the President has made it clear that he intends to keep 160,000 troops in Iraq as long as he is in office. While I am disappointed that it appears the President has no interest in ending the war on his watch, I am pleased the Democratic Congress has gone on record as being opposed to that plan, and has put in place the kind of timelines and restrictions required for us to begin to bring our troops home. I also think it is wholly appropriate to include funding for domestic priorities in an emergency supplemental spending bill. Just as the President's mishandling of the Iraq war has caused a crisis in the Middle East, his mismanagement of the economy has created a crisis here at home for millions of Americans.

Mr. Speaker, I rise today to voice my strong support for a particular provision in the Supplemental Appropriations legislation, H.R. 2642.

Included in this bill is legislation that I introduced with Representative TIM MURPHY of Pennsylvania. The "Protecting the Medicaid Safety Net Act of 2008" is a simple, straightforward bill that would place a temporary moratorium on seven regulations recently issued by the Centers for Medicare and Medicaid Services (CMS).

The Committee on Energy and Commerce recently reported the bill with unanimous support. The House then passed it with an overwhelming bipartisan vote of 349 to 62.

These Medicaid regulations in question, if allowed to stay in place, would reduce or eliminate payments for services provided to vulnerable Americans and the institutions that serve them. They would affect children with disabilities, people with mental illness, those with multiple care needs, people attempting to transition from an institution to a community living environment, and people with disabilities who need services, such as rehabilitation services and case management in order to remain in their community. The regulations would also eliminate funding for school-based outreach and enrollment, and funding that helps safety net providers care for indigent and under-insured patients in our communities.

In my home State of Michigan, the rehabilitation rule would cut services for 15,000 children with special needs, eliminate services for another 29,000 developmentally disabled adults and children and eliminate access to critical community services and resources for 23,600 adults and 5,100 children who are in supported independent living arrangements or group homes.

The Administration's arguments for supporting these regulations simply do not hold water. These regulations go beyond any justifiable point to curb abuses in the system. Rather, they represent a misguided effort to shift costs to States and prohibit Federal support for legitimate expenditures on behalf of Medicaid beneficiaries.

More than 2,000 organizations representing beneficiaries, providers, schools, and States have written to lend their support to this initiative, from "A", such as the American Hospital Association and the American Academy of Pediatrics, to "Z," the Zion Lutheran Elementary School in Nebraska. The chorus of support has been overwhelming.

I would also like to take a moment to commend Chairman PALLONE and Ranking Members BARTON and DEAL who worked to prepare the bill for rapid action in Committee and the House floor.

I also wish to thank Chairman OBEY for including the Medicaid legislation in the supplemental appropriations bill.

Ms. ESHOO. Mr. Speaker, I rise in strong opposition to continued war funding for Iraq.

I voted against the war and have never wavered in my opposition to the Administration's misguided policies in Iraq.

It has been a long and painful 5 year journey for the people of our country since the Administration acted preemptively and unilaterally to invade and occupy Iraq.

Military leaders, the best minds in foreign and economic policy, and the vast majority of the American people have been resoundingly clear: The Administration's war-without-end policy is not a strategy for success.

As retired General William Odom, former Director of the National Security Agency under President Reagan and member of the National Security Council under President Carter stated, ''Getting out of Iraq is the pre-condition for creating new strategic options.''

I cannot support war funding without a clear exit strategy in sight. It is bad for our troops, our country, and our standing in the world.

Mr. Speaker, I rise in support of today's second amendment that includes a clear path out of Iraq, a plan that my constituents and the vast majority of Americans are demanding.

More than 5 years ago the President proclaimed ''Mission Accomplished'' in Iraq. Paradoxically, he insists on a permanent U.S. presence there. And what exactly has this Administration ''accomplished'' in Iraq?

More than 4,000 U.S. soldiers have been killed and almost 30,000 injured; tens of thousands Iraqi civilian deaths; an emboldened Iran and new threats from Al Qaeda in the region; $519 billion taxpayer dollars spent and a future expenditure of some $3 trillion; a hobbled Iraqi government unable to provide clean water, medical care, jobs for its people, or pass critical oil sharing legislation; a U.S. military on the verge of collapse and unable to press vigorously the critical fight in Afghanistan or respond to other crises in the world; and still no exit strategy.

With no end game in sight, the Administration and its supporters in Congress are complicit in a continuation of a failed policy which they insist on extending with a blank check policy to accompany it.

The President owes it to our brave men and women in Iraq and their families, he owes it to the American people, and he owes it to the citizens of Iraq not to leave this mess for the next President to finish.

This bill establishes a clear path out of Iraq. The language requires the Administration to begin redeployment 30 days after enactment and requires Secretary Gates to submit to Congress within 90 days a report detailing plans to reduce and redeploy troops from Iraq. It prohibits sending troops to Iraq that are not assessed as ''fully mission capable'' of performing their assigned mission, and outlaws the presence of a permanent U.S. base there. Additionally, this provision requires the Iraqi government to match every U.S. dollar spent for training and infrastructure construction and repair. Finally, it prohibits the intelligence community from subjecting detainees to interrogation techniques not authorized by the U.S. Army Field Manual. This will essentially abolish the use of water torture and begin to restore America's standing in the world community.

As a member of the Permanent Select Committee on Intelligence it is vital that we extend the ban on torture to the Intelligence agencies. The President has said he will veto any ban on torture, clearly demonstrating his desire to reserve for himself the right to subject detainees to these horrendous techniques. Congress has an obligation to make it clear that the American people do not believe in torture and will not allow it to continue.

This amendment sets a decisive course out of Iraq and begins to shift responsibilities to the Iraqi government. I urge my colleagues to heed the demands of the American people and support this strategy.

Mr. Speaker, I'm very pleased that the Appropriations Committee included two important provisions in today's third amendment. First, it includes critical funding for Iraqi Christians and second, it modernizes and improves the G.I. bill.

I'm pleased that the amendment contains $10 million for vulnerable Iraqi minorities, including Christians. The needs of Assyrians in Iraq could not be greater. A report produced by the Department of State on U.S. assistance to the Nineveh Plains in Iraq concluded that Christian minorities have experienced serious human rights abuses in the Nineveh Plains. The report also states that the region has absorbed a significant number of Christian internally displaced persons (IDPs) moving from the south, placing an economic burden in the area.

They are fleeing because they are being threatened and murdered in their home communities. Their priests are being executed, their churches burned, and their nuns threatened. In February of this year, Archbishop Paulos Rahho was abducted and murdered in Mosul.

While Assyrians only represented 5 percent of the total Iraqi population before the war, according to the United Nations today they comprise as much as 40 percent of the growing Iraqi refugees who have fled for their lives to Syria, Jordan, Lebanon, and Turkey.

These families desperately need security, housing, jobs, schools and the chance to live in a sustainable community where they can openly practice their faith. This funding is essential to their survival.

Also included in this amendment is a modernization of the G.I. bill. The G.I. bill has been heralded as one of the most successful government programs in the history of our Nation. It gave millions of G.I.s the chance to go to college, many of whom were the first to receive a college education in their families. But the G.I. bill is over 54 years old and has not kept up with rising tuition costs.

According to a recent Department of Veterans Affairs (V.A.) survey, 18 percent of the veterans recently back from tours of duty are unemployed. Of those employed since leaving the military, 25 percent earn less than $21,840 a year. The survey also demonstrated that only 48.4 percent of the respondents took advantage of the G.I. bill and concluded that receiving the benefits of the current G.I. bill was not a strong predictor of successful employment outcomes.

This survey clearly demonstrates the need for this new G.I. bill. The amendment provides veterans with a maximum educational benefit equal to the highest tuition rate of a public college or university in their State, as well as a monthly stipend for housing. It also establishes a new program in which private educational institutions would make financial contributions toward veterans' tuition, and the federal government would match those contributions.

When our veterans return from the battlefield, they should have every opportunity to enter the classroom and ultimately the civilian workforce. Our Nation needs these brave men and women to contribute to the growth and health of our economy and this new G.I. bill accomplishes this.

From development funding for Iraqi Christians to the creation of a new G.I. bill, this amendment addresses specific urgent needs for our Nation and world. The amendment is well crafted and I urge my colleagues to support its passage.

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

Pursuant to House Resolution 1197, the previous question is ordered.

The question of adoption of the motion is divided among the three proposed House amendments to the Senate amendment.

The first portion of the divided question is, Will the House concur in the amendment of the Senate with House amendment No. 1 printed in House Report 110–636?

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

Mr. OBEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2419) ''An Act to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on concurring in the Senate amendment with amendment No. 1 will be followed by 5-minute votes on concurring in the Senate amendment with amendment No. 2, if ordered; concurring in the Senate amendment with amendment No. 3, if ordered; and the motion to suspend the rules with regard to H.R. 2894, if ordered.

The vote was taken by electronic device, and there were—yeas 141, nays 149, answered ''present'' 132, not voting 12, as follows:

[Roll No. 328]

YEAS—141

Altmire	Berkley	Bishop (GA)
Baird	Berman	Bishop (UT)
Barrow	Berry	Boren
Bean	Bilirakis	Boucher